

THE LEGACY OF ANDRE SMITH

by

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## ABSTRACT

Jules Andre Smith was an architect and an artist with an aspiration to build a retreat where artists could explore and develop new ideas. In the late 1930s, due to the generosity of a benefactor named Mary Louise Curtis Bok, Smith embarked upon an undertaking that fulfilled his ambition. He created a legacy known first as The Research Studio and later as the Maitland Art Center. The intent of this thesis is to document and journey through Smith's legacy, and answer the following two questions: What is the symbolic meaning behind the imagery? Why design six acres of architecture dominated by Mesoamerican and Christian-influenced iconography?

The data collection process consisted of interviews; reviews of the City of Maitland council meeting minutes; readings of court documents, newspaper articles, and books in Smith's personal library along with a literature review related to the iconography surrounding the walls and floors of Smith's compound.

Interviews with those who knew Smith consisted of open-ended questions related to Smith's character, his association with the artists, his work habits, his reasoning for choosing the unlikely mix of Christian and Mesoamerican-influenced art, and the artist-in-residence experience. A recap of the meetings was mailed to each of the parties consulted for verification of the content.

The judicial system played a crucial role in mapping Smith's legacy following his death when an unfortunate set of circumstances found his work the object of three legal proceedings in Orange County, Florida. To unravel all the charges and the final judgments, hundreds of

microfiche records were reviewed and eighty pages printed for re-review before completing the section of this document pertaining to the legalities surrounding the facility's future.

Over 100 newspaper articles were catalogued and coded based on their relevant time periods. Collectively, they contained information related to Smith's early years in the Maitland-Winter Park area, events leading up to the building of his artists' retreat, and the fate of the vision following Smith's death.

Before I began a literature review to decipher the meaning behind the sculptures and reliefs, I photographed and categorized many of the images by subject. This process included reviews of over sixty books and articles. Additionally, an expert in the field of Mesoamerican culture, Dr. Arlen Chase, was consulted regarding some elements of the iconography.

Preceding my conclusions, the reader is given a tour of the grounds followed by a comparison of the imagery to the appropriate cultural representations.

This work is dedicated to my husband Jim. I couldn't have done it without you!

December has come



## **ACKNOWLEDGMENTS**

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## **CHAPTER ONE: INTRODUCTION**

Jules Andre Smith was an architect and artist who aspired to create a space where artists could work and create undisturbed by daily demands. Smith wanted to provide housing and sustenance for visiting artists in a secluded environment surrounded by villa-like walls and gardens.

The dream was realized in 1938 due solely to the generosity of one patron, Mary Louise Curtis Bok. With Smith's imagination and Bok's financing, The Research Studio was built with architectural characteristics influenced by Mesoamerican, Christian, and Buddhist cultures. The survival of The Research Studio was originally dependent upon Bok. Its continued existence following Smith's death in 1959 was determined a change of ownership, litigation, and rebuilding before its future was secured by becoming a National Historical Site.

After Smith's death, guardianship for The Research Studio fell to the Executive Board who was soon faced with a financial dilemma. Bok announced she was making one final contribution to sustain the Research Studio for a period of one year. Smith's compound was eventually gifted to The Central Florida Museum in 1962 with a merger agreement. By 1965, the Central Florida Museum was unable to sustain The Research Studio and rumors developed indicating the property was to about to be sold to developers. Two local artists legally challenged the Central Florida Museum and any sale was prohibited that did not honor the merger agreement. From 1965 to 1969, three legal proceedings would occur until Smith's work was declared a public trust and sold to the City of Maitland, Florida in 1969. From 1962 to 1969, the facility had suffered



neglect, vandalism, and theft which required a rebuilding effort initiated by the citizens of the community.

Smith's aspiration to create a space where artists could work and create became his legacy. The intent of this thesis is to document that legacy by investigating the critical factors involved in the development and preservation of his work; provide the reader with an appreciation of Smith's creation by taking a tour; document the historical symbolism attached to the iconography; and determine his reasoning for selecting the unusual mix of Mesoamerican and Christian-influenced imagery.

I was able to document the beginnings of Smith's legacy based on interviews, literature reviews, and newspaper articles. Court documents, supplemented with interviews and newspaper articles, became the primary source of information used for tracing the series of events leading up to the preservation of Smith's legacy. A tour is needed in order to appreciate the significance of the symbolism; otherwise, an explanation of the iconography seems merely clinical. Smith's personal library divulged material related to the architectural influences seen on the grounds; however, little could be found regarding symbolic interpretations. The symbolic meanings associated with the imagery were attained through published literature and a consultation with Dr. Arlen Chase. Regarding his choice of imagery, Smith denies ever studying Mesoamerican art in a statement to a friend and photographer, William Grover.

At the end of the research I concluded the following: Smith's legacy would never have materialized except for the generosity of Bok. Continuation of the legacy was determined by the merger agreement followed by the court proceedings to prevent a sale of the property. Assurances for future survival came with the sale to the City of Maitland and designation as a national historical site. Lastly, Smith may not have consciously studied Mesoamerican art but

his library collection contains Mesoamerican imagery indicating he had an interest in it and was sub-consciously influenced by it.

## **CHAPTER TWO: THE RESEARCH STUDIO EVOLVES**

### **Jules Andre Smith**

The Research Studio, known today as the Maitland Art Center, is a product of an artist and architect with a dedication to art and the artists who created it. Fortunately for the citizens of Central Florida its founder, Jules Andre Smith, was attracted to our Florida weather and orange groves where he would form relationships that began a legacy. The legacy would be one of commitment to establishing a retreat for artists where they were limited only by their creativity and their desire to produce art.

Jules Andre Smith (1880-1959) was born in Hong Kong in 1880 where he lived until his father's death in 1890 (Hubbard 1). After the loss of her husband, Mrs. Smith migrated to Germany with her three sons before moving to New York and eventually to Stony Creek, Connecticut in the early 1920s (Grover 2). At the urging of his family, Smith suppressed a childhood interest in art and attended Cornell University where he graduated with a Master of Science degree in architecture. While taking advantage of a traveling fellowship offered to him by the university, Smith journeyed across Europe where his childhood urge to draw resurfaced. After returning from Europe, he began an architectural career as a draftsman and later as a self-employed architect. In 1910, after a period of self-taught classes in etching, Smith produced a body of work worthy of public exhibitions. Eventually he mastered the medium and would skip the preliminary drawings choosing instead to draw directly onto the copper plate. His work

quickly found favor with New York dealers and collectors worldwide signaling an end to his architectural career (Grover 4-5) .

In 1917, Smith joined the United States Army and entered the Officer's Training Camp at Plattsburgh (Grover 5). During training he suffered an injury to his left leg which did not impede his military activities; however, it would later become infected and require amputation. The loss of his leg caused a lifetime of pain, an inability to drive, and dependency upon either a cane or a wheelchair for mobility.

After receiving a First Lieutenant's commission, Smith served three months in Washington before being transferred to France where he and seven other artists recorded the actions of the American Expeditionary Forces in France. Smith produced over two-hundred drawings of the AFE and confessed his etchings depicted "War the business man, instead of War the warrior". "My drawings show merely the background of the A.E.F." (Grover 6). In reality, his renderings are much more than background information. This is readily apparent when his artwork depicting soldiers walking through country farmlands is paired with his words "Here was a picture of war that was not for the warrior but for a poet...a poet in a tin hat" (Grover 6).

Smith's work in the military gained the attention of General William M. Black who commissioned him, along with Lieutenant Aymar Embury of the U. S. Engineers Officer Reserve Corps, to design the Distinguished Service Cross. The flip of a coin awarded Embury the task of designing the medal leaving Smith to design the cross (Grover 7).

The years following the war found Smith and his close friend, Attilio 'Duke' Banca (1901-1984) in Maitland, Florida on their way to visit cities in south Florida (Banca F. telephone interview). Smith decided to settle in Maitland and worked with actress Annie Russell designing sets for the Annie Russell Theatre located in nearby Winter Park. Because of his association

with Russell, Smith met Mary Louise Curtis Bok in 1935. Bok became a collector of Smith's etchings and the central figure in building his legacy (Grover 10).

### **The Early Years in Florida**

When asked why Florida held an attraction for Smith, he replied "I would say that like most artists I come to Florida to escape the cold. From my studio window in Maitland I can look out at orange trees instead of snowdrifts" (Winter Park as a Home). It is this seduction of orange trees and Florida winters combined with Smith's outspoken nature that led to the seeding of his vision.

Apparently Smith found the area conducive for creating art but lacking in art appreciation. As an artist, he admonished the area for its insufficient number of available venues, the lack of qualified judges, and the inability of so-called art-aficionados to separate the hobbyist from the professional. If a serious artist intended to sell his work, the outspoken Smith suggested any other area of the United States would be more profitable and draw a more sophisticated audience. One of his more terse remarks came with the snub, "An artist cannot live on flattery alone, even with a cup of tea and slice of cake thrown in now and then for full measure and in the lukewarm name of ART" (Winter Park as a Home).

While Smith may have found local art appreciation skills anemic, he was endeared to the environment believing it suitable for building his dream-haven for artists. A stalwart supporter of modern art, he wanted space where an imaginative mind could be stretched to examine new methods for creating art. He disdained teaching methodologies that stifled young minds by focusing solely on art revered by the past (Smith, Andre Smith Pleads). In his vision, artists

would be given the opportunity to invent new methods of expression free from the undue burden of outside demands and influences. Smith was not searching for the next Picasso or a newly created art movement; his interest lay in creating an environment conducive for visionary artistic expression (The Research Studio).

In print and in word Smith was a champion of modern art whose publicized philosophies were shared by actress Annie Russell and friend Mary Louise Curtis Bok. His ambition to build a ‘monastic’ environment where artists could experiment free from outside demands intrigued Bok who possessed the resources necessary to finance a venture equal to Smith’s dream (Grover 10-11). In 1937, Bok committed to funding Smith’s vision and established the non-profit organization Research Studio, Inc. Expansions to the original plans quickly followed as additional studios, a gatekeeper’s residence, guest accommodations, and servants quarters were added (Research Studio Plans Enlarged). Using everyday implements--a grapefruit knife or a spoon-- Smith carved concrete imagery predominately reflective of a Mesoamerican and Christian culture (Orr personal interview) that he would later refer to as “the poor man’s fresco” (Loessing). Collectively, these renderings formed and decorated the archways, walls, and floors that opened in 1938 as The Research Studio and later became the Maitland Art Center.

Smith’s intention was not driven by self-indulgence. He envisioned a compound where artists would live on the premises for a period of several months while working undisturbed during the comfortable Floridian winters. An aerial view of Smith’s plans (Fig. 1) exhibits his architectural design that included a courtyard surrounded by a library, studios, and two galleries (The Research Studio). Figure 2 is a painting by Smith entitled The Research Studio; however, the date is unknown. For the studios, Smith adopted a stall-like structure design he borrowed from the nation’s zoos. The motive behind this style of work area was to create a “Lab-Gallery”

(Smith, Creative Ventures). Smith the artist understood artisans. The close proximity of the studios provided an environment for them to feed off of each others creative energy.

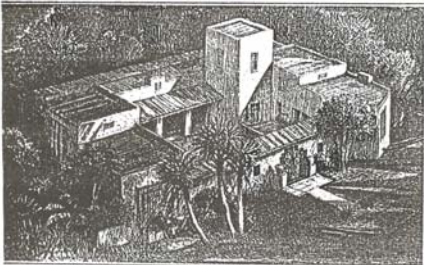


Fig. 1. "Research Studio Plans Enlarged .  
" Winter Park Topics 06 March 1937:



Fig. 2. Painting by Andre Smith

On January 6, 1938, Florence Banca and Smith (Fig. 3) hosted the official opening with a recital by the Curtis String Quartet (Research Studio at Maitland). The retreat was not one of common brick and mortar. With the assistance of a local area resident, Ralph Ponder (1915-2001), a unique museum had begun which continued to evolve over the next two decades. One image at a time, sculptures and reliefs in Mesoamerican, Buddhist, and Christian motifs emerged from the doors and walls.

The first artist-in-residence program was completed by the following artisans: Walter Addison was a sculptor recommended by the Ferargil Gallery in New York; painter, Ralston Crawford, was referred by the Boyer Gallery in Philadelphia; painters Carson Davenport from Danville, Virginia and George Marinko of Waterbury, Connecticut were the remaining two artists (Banca, F. telephone interview).

Hal McIntosh, William Orr, and Reverend Larry Loessing were artists who met Smith in the years following that opening day. When I asked McIntosh about Smith, he replied "Andre was extremely private. He was a reclusive type and created in an atmosphere that suited his

personality. The people that got in were invited—they didn't just walk in. Because Andre was very private, the grounds were his hideaway. They were designed to have guests yet he kept to himself" (McIntosh personal interview).

Orr describes Smith as someone whose "eyes never left your face when he was talking to you. He would read everything you do. He was an observer. You felt like he could see right into you."

Loessing found Smith to be reclusive as well as "autocratic, aristocratic, crusty, and opinionated" While Loessing describes Smith as a conservative man; he felt others viewed him as a "wild man because of his avant garde taste in art." Loessing recalls Smith's distaste for "insubordination and boorishness" and occasionally an artist would be asked to leave. Smith, he said, was a "commanding personality" even when in a wheelchair (Loessing).

During the first three years, the residencies included the months of January through March. Eventually that was expanded to include November or December through April. Each year watercolorists, oil-painters, and sculptors were solicited from advertisements in art magazines followed by an interview with Smith. His commitment to them did not end with housing. Every three weeks approximately 300 cards were mailed to the public inviting them to opening exhibits featuring the artists-in-residence. The response was always favorable and there was never an admission fee or request for donations (Banca F. telephone interview). In keeping with a focus on the artists, the intent was to create exposure for their work.





Fig. 3, Attilio Banca on the left; Andre Smith on the right

In 1959, failing health forced Smith to a week-long hospital stay after which he returned home to The Research Studio. Shortly after the homecoming he passed away with Attilio and Florence Banca at his bedside (F. Banca telephone interview).

Before his death, Smith touched the lives of over sixty artists at The Research Studio. The impact of his dedication to the artist is expressed by McIntosh, Orr, and Loessing.

McIntosh's (Fig. 4) first visit came in 1946 at the age of seventeen. While working on the site in a small studio apartment he became one of the invited guests to share tea with Smith every afternoon at 4:00. These were "formative years" for McIntosh who felt he benefited greatly from Smith's tutoring and believes these early experiences led him into the art world.

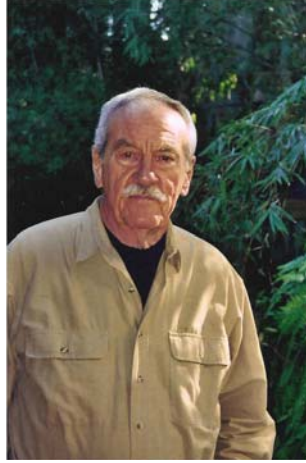


Fig. 4., Hal McIntosh, 2004

Photograph taken at McIntosh's home by Ginny Seibert

Bill Orr (Fig. 5) was in his early thirties when he came into contact with Smith during the later years of Smith's life. With his two young sons, Orr lived in the studio apartment across the street from the main gallery. When his eyesight began to fail, Smith relinquished his favorite watercolor brush and slide projector to Orr who used the brush to paint the portrait of Smith hanging in the gallery today. The brush was worn to a point so the face is an oil paint 'drawing' over an underpainting of blues, pinks, and violets. Orr let the brush dictate the work as he "fantasied Andre was holding it". It was later destroyed in a fire; however, the small projector remains. Like McIntosh, he feels his start into the art world began when Smith promoted his first show (Orr personal interview).

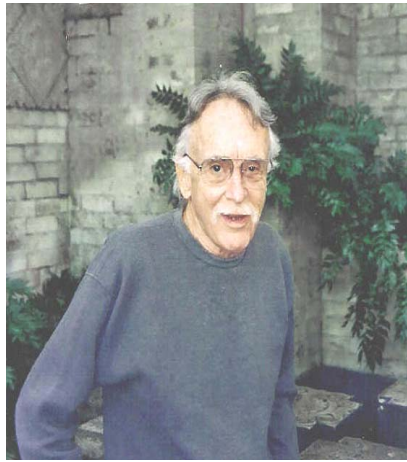


Fig. 5., Bill Orr, 2005

Photograph taken at the Maitland Art Center by Ginny Seibert

Reverend Larry Loessing knew Smith through a mutual association with the family doctor. Smith believed Loessing had talent and encouraged him to pursue his artistic interests with the following words: “Drawing should be bold – look in you mind’s eye – don’t think about it. That’s where the line is supposed to be”.

It is this type of support Smith would have given to all the artists he met as he encouraged them to test their artistic creativity.

## **CHAPTER THREE: THE YEARS FOLLOWING SMITH'S DEATH**

Smith dedicated over two decades of his life to developing The Research Studio yet little mention of it is made in his will. It is unclear how he assumed his work would live on if a generous benefactor were not available.

In Smith's Last Will and Testament (Appendix A) dated April 20, 1940, George Milton Smith, brother of Andre Smith, was nominated the Executrix with Fiduciary Trust Company of New York as the Trustee. All of Smith's "notes, bonds, stocks, securities, book accounts, evidences of indebtedness, money on hand or on deposit, and intangible personal property" (Smith) would be the responsibility of the Trustee. Attilio Banca was to receive a monthly payment based on profits realized from the handling of Smith's assets. Upon Attilio Banca's death, Florence Banca became the beneficiary. Following the death of Florence and Attilio Banca's, the trust was to be liquidated and divided among their surviving children. If there were no surviving children, Smith made provisions for the disbursement of the trust that involved the Banca's grandchildren, Smith's siblings, and their heirs. The remainder of Smith's assets not associated with the Trust was willed to Attilio Banca. To the Trust and the Executor, Smith delegated the following responsibilities:

Establish the value of his Estate; resolve all claims brought against the Estate; sell all or part of "the property, real, personal, or mixed" when appropriate; "borrow money for the purposes " of the Estate or Trust; to mortgage, lease, invest, or transfer assets; a single investment was not to exceed twenty-five percent at a given time; overall, take the

necessary steps to manage and preserve the assets; solicit legal counsel when required; and exercise the rights associated with stockholders regarding Smith's securities and investments.

A first codicil was added on June 8 of 1950 which incorporated the following changes:

Compensation was designated for the Trustees' services; the Trustees were given the authority to sell, maintain, remodel, dismantle, or erect additional buildings on Smith's land holdings, buy and sell property facing foreclosure, administer actions regarding notes and bonds, and the right to relinquish property the Trustee deemed "worthless" or invaluable. Additionally, rules were established regarding the relationship of income to principal. Lastly, Florence Lavassa Banca replaced Smith's initial Executor, George Milton Smith.

A second codicil dated November 14, 1950, transferred Smith's collection of "personal works of art, consisting of etchings, drawings, sculptural pieces, but excluding certain of my paintings and prints which I have heretofore given to my friend Attilio Banca, which are at present in his summer residence at Stony Creek". Smith also directed all outstanding taxes be paid from his assets.

A third codicil occurred on March 14, 1952. In this final appendix Smith permits the Trustee to authorize non-repayable expenditures for active beneficiaries, their family members, or their descendants in case of "illness, accident, loss by fire, dire need, necessity for operation, or any other case of necessity or emergency".

Since Smith willed a portion of his personal art collection to The Research Studio, it is apparent he intended the compound to continue functioning after his death. He either believed a

generous benefactor would be found or his Executive Board would devise a means to make the retreat self-sustaining since no monetary provisions were mandated in his will.

### **Caretakers of the Research Studio**

Bok and Smith were the sole champions of The Research Studio. Following his death, its survival fell to the Executive Board which was about to suffer a debilitating blow.

Within a short period of time following Smith's death, The Research Studio's primary benefactor, Zimbalist, (the former Mary Louise Curtis Bok) announced she would be contributing a final donation to sustain the facility for a period of one year. Coinciding with the termination of support, Zimbalist tendered her resignation from the Board of Directors of Research Studio, Inc. (the Central Florida Museum and City of Maitland, Florida v. Earl Faircloth, Attorney General, and Attilio Banca, Florence Banca, and Mrs. Efram Zimbalist, Sr., 66-5298 at 118). Left without a major contributor, the remaining board members initiated a search to secure donors (66-5298 at 118). The list of organizations contacted by The Research Studio's board included The Museum of Modern Art, the Guggenheim Foundation, the foundations of Curtis and Mary Louise Bok, Southern College, Stetson University, and Rollins College (66-5298 at 151). One by one, the list dwindled. The president of Stetson, Ollie Edwinston, feared a backlash from contributors if money was invested in a venture outside of DeLand, Florida (66-5298 at 151). The Museum of Modern Art in New York appreciated the cultural significance of the studio; however, an investment in Florida by a New York museum was considered outside of the boards' authority (66-5298 at 152). *Time*, *Life*, *Fortune*, and other publications were also used to attract buyers (66-5298 at 152). The Ringling Museum of Art

expressed an interest but lacked the funding to pursue a purchase (66-5298 at 152). The City of Maitland was also discussed by The Research Studio board. The Central Florida Museum, now known as the Orlando Science Center (Stanford), eventually became the first owner (Downtown Orlando: Orlando Science).

Following negotiations between The Research Studio Board and The Central Florida Museum Board of Directors, a merger agreement was forged on October 4, 1962 (66-5298 at 118). On November 26, 1962, a Petition of Dissolution was filed for The Research Studio, Inc. and all assets were conveyed to Central Florida Museum (66-5298 at 119).

### **The Merger Agreement**

The Merger Agreement is the most important document in the life of The Research Studio. It limited the use of the grounds to the artistic endeavors prescribed by Smith.

By this document, the purpose of the property being transferred was “to promote the growth of American art and knowledge and education in art; to that end to provide studios, workshops, galleries, exhibition rooms (living quarters and sustenance) and facilities for research and experimentation in art.” The grounds were to be “dedicated, used and preserved as a perpetual memorial to Andre Smith.” Additionally, a gallery was to be built for the purpose of exhibiting Smith’s works with no more than two additional exhibits by other artists annually as shown in (Excerpts from Merger 1). All funds transferred to the museum would be funneled towards the construction of the gallery or the maintenance of the Andre Smith Memorial (Excerpts from Merger 2).

Unfortunately, The Central Florida Museum was unable to sustain the financial burden of the former Research Studio. Slowly, the grounds and the building deteriorated. By 1965 Smith's dream was again in jeopardy.

### **The Research Studio Up For Sale.**

In 1965, information was relayed to William A. Orr and Maury Hurt regarding an anticipated sale of The Research Studio by The Central Florida Museum (Orr personal interview). Rumors surrounding the sale indicated someone "wanted to buy the property and put a grocery store on it" (Petree telephone interview). It was during this time that Smith would make a spiritual visit to his Florida home. One evening, Orr went to the closed gallery to make a phone call. Once there, he witnessed Smith standing at one end of the gallery. "His image was as dense as I am. I just stood and looked. There was absolute silence. The feeling was Wow! I realized I had been away from my kids for about 15 minutes and ran back to the house to check on them." (Orr personal interview). The next morning, Orr reiterated his experience to Hurt who believed Smith was telling them "There is something wrong" (Orr personal interview). Following this incident, the two conspired to "preserve the memory" of the man who started The Research Studio (Petree telephone interview).

The actions of the Central Florida Museum and anyone approaching the studio were monitored and recorded by the two artists. Eventually, they compiled a twenty-five page handwritten document that was delivered to Mary Louise Curtis Bok Zimbalist at her Pennsylvania home. When opening the document, Zimbalist is reported to have screamed and forwarded the papers over to her attorney who determined it was a case for Florida's Attorney General, Earl



Faircloth. Faircloth contacted local civil rights attorney, Robert Petree, who initiated a Lis Pendens or 'Stop Sale' on the property as shown in Appendix B. As the rumors persisted, "someone who worked at the *Sun Times* presented opportunities for free press" publicizing the studio's plight (Orr). Orr and Hurt prepared a slide show to present at a public meeting in the Maitland Civic Center and were initially denied access to the facility; however, legal persuasion prevailed and on July 7, 1965, the show went on. Following their presentation the audience erupted with positive responses. One gentleman stood up and stated "What you boys need is an attorney"; another yelled "What you boys need are friends" and the ladies spontaneously became fund-raisers collecting \$10.00 from all present (Orr personal interview). Over 100 attended this first meeting which became the seed for Friends of the Maitland Art Research Center (Friends of Maitland). In an attempt to attract donors and buyers committed to preserving Smith's legacy, the newly founded organization prepared a brochure briefly describing the studio's history, its potential, its pending demise, and a 'call to action' (Appendix C). A grass roots movement to preserve Smith's legacy was underway.

### **The Court Battles Begin**

It was imperative any sale be stopped that would violate the terms of the merger agreement between the Central Florida Museum and The Research Studio Inc. Should The Research Studio fall into the hands of a buyer unwilling to honor the merger, Smith's haven may have fallen prey to a developer. In an effort to prohibit the sale of The Research Studio, in 1965 Orr and Hurt initiated an action against The Florida Museum, Chancery number 61403 (66-5298 at 333). Robert G. Petree, the only civil rights attorney "North of Miami and South of Jacksonville", was

solicited by the pair and accepted the case (Petree telephone interview). Following the filing and during their grass-roots campaign, Orr and Hurt would discover they had attracted adversaries. In an effort to vilify the pair, local citizens contacted the Maitland Police Department insinuating the pair were involved with prostitution. Petree responded to the local police with the following comment “My boys are not part of the ‘silk stocking’ crowd. Leave my boys alone.” (Orr personal interview ). According to Petree, so intent were some on harassing the two that late night cooking would result in complaints to the police. Petree commented that Orr and Hurt “were categorized as hippies by the local community....They didn’t conform to social expectations of the city” (Petree telephone interview).

Within weeks after the filing, Hurt’s studio on The Research Studio property caught fire and much of his furniture was destroyed. The Fire Chief attributed the fire to a cigarette; however, the Fire Marshall later spotted a bottle of kerosene under the bed and claimed it was arson (Orr personal interview). Two weeks later Orr again saw smoke pouring out of the studio. Running to it, he found the door ajar. Looking up, a policeman was spotted coming down from the upstairs who grabbed Orr by the shirt before pushing him out of the building. Twenty-five minutes passed before the fire department arrived and all was lost. After this incident, Hurt and Orr were evicted. No one was ever charged with a crime (Orr personal interview).

Documents do not exist supporting a pending sale of The Research Studio; however, one event indicates otherwise. Orr and Hurt were visited by the director of the Central Florida Museum and a realtor named Dauksch. The visiting pair was requesting the suit be dropped because “Dauksch was representing someone who was purchasing the property for \$26,000” (66-5298 at 240). Orr informed them the suit would not be dropped unless they were assured the merger agreement would be honored (66-5298 at 240). Dauksch responded with “his buyers

would not accept any limitations on the property” (66-5298 at 240). Orr reiterated the suit would remain in effect until the property could be protected (66-5298 at 240). These assurances were eventually made when “a notice of restrictions was agreed to be recorded”. In July of 1965 the suit was dropped (66-5298 at 124). This first legal filing initiated court proceedings that would determine the future of The Research Studio and a search for a credible owner.

The Central Florida Museum’s search for potential buyers eventually produced a credible candidate. According to court documents dated December 29, 1966, the museum had found a legitimate buyer--the City of Maitland, Florida; however, the contract between the two parties dated December 2, 1966 would find The Research Studio the subject of a second legal action (66-5298 at 119). The museum and the city jointly filed a complaint against Florida’s Attorney General, Earl Faircloth and the following Trustees as surviving directors of Research Studio, Inc.: Attilio Banca, Florence Banca, and Mrs. Effrem Zimbalist, Sr.. (66-5298 at 1).

Two counts were listed in the suit. The first referenced the Agreement of Merger between Research Studio, Inc., and the Central Florida Museum. It sought to answer the question “Did the merger form a public trust?” (66-5298 at 2). Background information included an elaboration on the inability of The Research Studio to support itself in keeping with either the charter of the now defunct Research Studio, Inc. or the merger. It also focused on the lack of contributions which had resulted in downsizing the studio’s activities, the expenditures incurred by the museum in an effort to honor the merger; and the sale agreement with the City of Maitland (66-5298 at 3). If the courts were to authorize ownership by the city, a request was included to exempt the new owners from providing “living quarters or sustenance” (66-5298 at 4). If the Agreement of Merger constituted a trust, the city would limit use of the property to “educational, recreational, civic and other cultural activities and to use and develop any undeveloped land for

artistic, cultural, civic, recreational, or educational activities”. Due to the financial constraints, representatives for the museum foresaw an ominous future for the studio if the courts did not consent to the sale (66-5298 at 4).

As a public servant and a representative of those who would be the beneficiaries of a public trust in Maitland, the Attorney General, Earl Faircloth was named as a defendant. The remaining defendants were named to insure they would be relinquishing any future legal actions regarding the status of the property (66-5298 at 4).

The second count added a request for “Declaratory relief”. In layman’s terms, this is a request for an expeditious ‘declaration’ of legal rights which in turn may provide early solutions to suit-related issues (The Law Encyclopedia).

At the heart of the suit, was the designation of The Research Studio as a public trust. The museum and the city were asking the court to decide its legal standing; approve the sale to the city; authorize the use of the property in compliance with the merger (excluding the city’s responsibility to finance living quarters for artists); allow the city to use the existing property for “educational, recreational, civic and other cultural activities”. Lastly, undeveloped land was to be used for “artistic, cultural, civic, recreational or educational activities” in order to adhere to the “original” intent of the property (66-5298 at 6).

If a final judgment was not decided in favor of a public trust, The Research Studio could still fall victim to a wrecking ball.

### **An Interim Court Skirmish**

On October 9, 1967, Smith's primary benefactor, Zimbalist, (the former Mary Louise Curtis Bok), was granted a Leave to Intervene during the course of the second court battle (66-5298 at 19) . The named defendants were The Central Florida Museum, the City of Maitland, Attilio Banca, Florence Banca, Donald J. Barker, and George R. Crisler, deceased. On April 8, 1968, all but the museum and the city were dropped from the defendant list (66-5928 book 86 at 481).

Zimbalist was challenging the proposed sale to the city contending her status as the primary benefactor, coupled with the failed merger agreement, justified her reinstatement as the legal owner (66-5298 at 119). She was also attempting to substantiate her claim by arguing it was solely in support of Smith's views The Research Studio was established (66-5298 at 119). Zimbalist was trying to regain control of The Research Studio; however, she had not cited what her plans were should she be granted ownership. At this point, The Research Studio's future remained in the hands of an Orange County judge.

### **Final Judgment**

On April 9<sup>th</sup>, 1969, the court ruled it had jurisdiction over the issues presented in the second and third court battles. The Intervention attempt by Zimbalist was dismissed and the purchases linked to the merger were declared a public trust along with the Andre Smith Memorial Fund (66-5298 Final Judgment at 1). Judge Barker approved the sale to the City of Maitland with the following stipulations:

The City of Maitland must adhere to the Agreement of Merger excluding any requirements to provide housing and "sustenance" to artists; the grounds are for "artistic

and cultural pursuits and not recreational.” The Central Florida Museum will provide the City of Maitland with an inventory of all the assets and a Bill of Sale for all the property to be transferred; lastly, any future sale of The Research Studio property is disallowed unless authorized by the court (66-5298 at 333).

This judgment was significant since it protected The Research Studio from further disputes regarding its legal standing and possible use. It would have saddened Smith to witness his friends and benefactors named plaintiffs and defendants; however, he would have found merit in a galvanized community preserving his legacy.

## **The Rebuilding**

The court battles have ended, the final ruling set the parameters for use of The Research Studio and now the toll taken by years of abandonment needs to be reversed.

Judge Barker had approved the sale of the Maitland Art Center to the City of Maitland on April 9, 1969. For a purchase price of \$45,000 (Art Research Center Reopened), the city of Maitland had acquired property with an estimated worth of \$125,000.00 (Parker). In August of the same year, the city formed the Maitland Art Research Center Advisory Board with the following members: Mrs. Karl Hubbard, Chairman; Mrs. R. E. Malpass, Dr. Edwin Burdell, Carl Dauksch, and Mrs. William G Caldwell (Council Minutes Aug.). In September, Thomas R. Allen, Steven Lotz, David Gray, Jr. and Mrs. William Woodward were added (Council Minutes Sept.) The committee was entrusted with reporting to the city council on recommendations “for long and short range plans for restoration of the Maitland Art Research Center, for operation of the Center to best serve the needs of the citizens of Maitland, and insure its operation as a public trust of the people of the State of Florida” (Council Minutes, Aug).

In January, 1971, Mayor Homer Hough, Organization President, Captain Bernie Brender, and the City Manager Philip Hagerty cut the grand-opening ribbon as over 1,000 guests streamed into the Center. Before the opening, students had begun registering for some of the thirty-eight different classes being offered. The City of Maitland owed a debt of gratitude to the volunteer acting director, Lyndell Ketcherside, area residents, and community businesses. During a one-year period, Ketcherside and volunteer members of the community had resurrected Smith’s legacy. Jungles of weeds were replaced with flowering gardens, dirt-laden floors and walls were

washed clean, and cracked studio walls were refurbished. Due to the creativity of the director and donations of time and materials, a portion of a \$2,000 gift from the city remained unspent (Wilkening).

Eleanor Timmerman, the Center's secretary in 1971, "dearly loved the place" and remembers those first days. She left her position as a registered nurse at Mercy Hospital to join the Center because she "felt like you had a little nook you were supposed to fit in." Timmerman recalls the furnishings were rather rustic with portable heaters as the only source of warmth. She shared a typewriter with her husband and would lug it to and from work to accommodate both their needs. In addition to her receptionist and registrar responsibilities, she was responsible for the cash receipts which were secured in her home overnight. For her labors she received a weekly compensation of \$25.00 (Timmerman personal interview).

A name change occurred in 1971 when the facility was incorporated as the Maitland Art Association Inc., doing business as the Maitland Art Center. Major renovations continued as the main gallery underwent a facelift in 1973 that included air conditioning, lighting, and carpeting. Then, as now, the rate of restoration was determined by the generosity of local donors (Stone).

There has been a succession of Executive Directors since Lyndell Ketcherside reopened the gates in 1971. One with an unimaginable ambition was James Griffin. Griffin replaced Guy Beattie in 1974 with an agenda aimed at returning to the "art research concept" favored by Smith. In addition to attracting art researchers, Griffin's plans included scheduling workshops, classes, and conferences featuring nationally and internationally known artists. Within a three-year period, he planned to enroll 2,500 students at the Center (Griffin to Return). His ambitions were never realized.



Charles Baker replaced Griffin as director and assumed a facility with an unhealthy bank account. Fundraising helped to reduce the deficit (Phonathon Raises); however, mounting debt would overcome Baker's efforts and by 1977 the director's position was temporarily eliminated. Subsequently, the board president Glenn Hohman resigned and was replaced by Orr (Director's Position Eliminated). Minimally, ten Executive Directors have preceded the current one, James 'Gerry' Shepp, whose has held the position since 1982. The exact number of individuals that have held the position is unknown due to a loss of official records.

### **National Recognition**

In June of 1977 the acting directory, Chloe Weisner, announced steps were being initiated towards adding the Maitland Art Center to the National Registry of Historic Sites and Properties. As part of the process, architectural students from the University of Florida performed the surveys under the direction of Professor Blair Reeves. The Orlando-Winter Park Junior League prepared detailed drawings to accompany photographs and written descriptions of each piece of artwork (Maitland Art Center Nears). In addition to surveys and drawings, geographical data, inventory forms, and a Statement of Significance were included in the nomination packet. On December 28, 1982, a letter was issued from the Florida Department of State listing the Maitland Art Center on the National Register of Historic places (National Registry). This act brought with it assurances Smith's legacy would be preserved along with eligibility for government funding.

## **Then and Now**

Central Florida inherited a sanctuary from Smith where artists could experiment in an environment free from outside influences and surrounded by the beauty of Floridian foliage. A comparison of the grounds then and now indicates the changes have been logistical more so than physical.

The structural appearance of the Maitland Art Center has experienced few changes since Smith's death; the story is not the same for the usage of the studios. At the time of Smith, the room adjacent to the Mayan Room served as a sculpture studio. Today it is used primarily as a bride's room. The small studio Orr occupied with his two sons has been significantly enlarged and was named the Germaine M. Marvel Community Building on September 30, 1991 (Bone). The main office area currently in use by the Executive Director and his assistant was an apartment-studio (Orr personal interview). Smith's home has been a caretakers' house since the City of Maitland created the position of Caretaker in August of 1969 (Council Minutes August). An area that was home to the Banca's now serves as a painting studio. Smith's printroom is a darkroom and the area behind today's pottery studio was sometimes reserved for glassblowing (Orr personal interview). The concrete tile flooring in the chapel garden area with its stylistic floral pattern was once a grassy area. While the comfort level of Smith and his visitors depended on the Florida weather, today it is controlled by the modern conveniences of heat and air-conditioning. Additionally, Timmerman's typewriter has been replaced with a network of computers.

Smith was able to maintain the grounds and support a small staff due to the generosity of a single benefactor, Mary Curtis Bok. Unlike Smith's budget, current funding requires a multi-faceted approach that involves government support, class tuition, corporate and private support, foundation donations, and other miscellaneous revenues. State and local governments are the largest contributors accounting for 34.3% of a \$884,953 budget (Maitland Art Center Budget 2006).

The Maitland Art Center has functioned in the black under the leadership of Shepp and has been forced to "tighten its belts" for the 2006 fiscal year in order to maintain that status. The hurricanes of 2004 resulted in a reduction of gallery attendance, museum purchases, weddings, and tuitions. Their major source of income--government funding--has been reduced to 2003 levels by the Florida Legislature, "state cultural funding was cut anywhere from 78% to 100%, the funding for medium sized institutions was cut 100%, and the City of Maitland's funding for its cultural partners was held to the FY 2005 level." The loss of anticipated income has resulted in a \$10.00 fee to non-members for opening receptions beginning November, 2005, along with an increase of membership and class tuition fees effective January, 2006 (Shepp).

One glance at the budget proves it would be unreasonable to expect the Maitland Art Center to function according to Smith's original plan; survival requires funding which cannot be found in donations alone.

## CHAPTER FOUR: A TOUR

An exploration of the physical and spiritual aspect of Smith's vision is necessary to appreciate the sanctuary he designed. If you are taken immediately to the meaning behind the iconography without a mental picture of the imagery, the research becomes clinical; if a tour precedes the explanations, there will be a degree of familiarity and hopefully a level of interest.

As you approach the entranceway on the south side of the Maitland Art Center, you are greeted by a party of eight. Dressed in belted tunics, beaded headbands, and dangling mammoth ear coverings they stand motionless atop two columns. Below their watchful eyes, framed in scroll-shaped headdresses and collars of stone jewels, noblemen stare into the distance. Once past the columns a guardian emerges displaying a plumed headdress and military garb. One hand is raised and wraps around a lethal arrow; the other clutches a protective shield at his side.

Continuing down a vine covered walkway, a transition occurs. To the right of the walkway, resting in a cutout, angels extend an invitation to contemplate the following prayer:

I stood at the gate of life and said, "Give me a light that I may go safely into the unknown" and a voice replied "Go out into the darkness and put your hand into the hand of God. That will be to you better than a light and safer than a known way."

Opposite the angels stands a young man dressed in a monks robe. A dove rests on one raised hand while the other hand welcomes a second bird. Walking past the monk, an alcove framed in decorative concrete wall tiles supporting small crosses forms the entrance to an open-aired chapel. Carved into the floor is the welcome message "Let your thoughts rest here a while in beauty and in love." Once inside, faithful followers of the Christ sit in permanent adoration on

either side of the walls. Framed in flowers and scrolls, some of these saintly men pose with downcast eyes; others cast their gaze outward or to the side. Some wear a symbol of their faith, the cross. Underneath a halo of petals, a veiled woman joins the stilled parishioners. Standing with her hands folded across her breast and head tilted she gazes upward toward the heavens and away from the crucifixion dominating the opposite wall.

Affixed to a cross fashioned from thick concrete scrolls a crucified Christ hangs partially clothed with outstretched arms. His look is one of both victim and victor as a man and woman sit at his feet with hands folded and eyes looking downward. Diagonal to this scene of agony and loss lies a contrasting calm. There an altar is shaped from short cross-shaped podiums that dominate a pool of running water. The surfaces of each are marked with various symbols of a crown, a star, a bird, and joined hands. Above the altar, doves, saints, a hand, peacocks, a chalice, fish and the letters IHS are carved into concrete slabs to form the Latin cross. As you pass back through the chapel alcove, circular shaped flowers with stems of arrowheads and leaves of scrolls blend the Christian imagery with Mayan-like imagery. Outside, six peacocks rest against concrete blocks before leading you down a pathway where the Christian influence abruptly ends. Here, snarled-faced images with fierce stares and open mouths exposing oversized teeth line the walls as you approach the end of the walkway onto an open patio.

Less intimidating are concrete medallions fixed to an inside wall of this patio area called the chapel courtyard. Here, the images are portrayed with an elegance that belies the fierceness indicated by the walkway monsters. The angry stares and fierce facial expressions have been replaced with half smiles and a peaceful demeanor.

At one end of the enclosure stands the Mayan Room, so named by Smith (Banca, F. telephone interview). The floor is a concrete canvas where alternate patterns of stylistic flowers and

monstrous faces nudge between bird and sea life. Above a brick fireplace, in an octagonal frame, sits a cross-legged Mayan surrounded by swirling stems of artichoke plants. With both arms raised to shoulder height, hands point upward as if in a meditative state while two serpents spew rolling flames below. In a second octagonal frame, another Mayan ceremoniously arches both arms as he clutches wheat-like stalks in his hands. With eyes closed and knees bent, his feet roll forward to stand on his toes. Birds pose in the bottom of the frame that becomes a barrier from two reappearing serpents. With thick flowing headdresses, other thickly chiseled faces congregate on concrete wall plaques forming opposite sides of this three-sided room.

The back wall is one of faded reds, greens, blues, and constant movement. Inches separate the images of dancing warriors and saw-toothed serpents crawling and hissing as they make their way across the room. Some surround the dancers; others slither over a row of multi-colored skulls, as the performers appear oblivious to their presence. Scores of geometric shapes flood the wall space between the humans and amphibians. Another warrior, sword in hand and shield at his feet, can be found perched in the window of an adjoining patio.

At the far end of the chapel courtyard a panel of Mesoamerican and Oriental images dominates the upper half of the wall. The scenes alternate between morbidity, violence, and nobility. In an apparent death reenactment, a threatening face stares with a raised hand and an accompanying skull while a stylized and regal imagery of a Chinese couple sits juxtaposed between this rendition of death and a murderous deity.

When exiting this side of the Maitland Art Center, a parting glance backwards reveals three personages dressed in plumed headdresses and beaded collars. In the background, the now familiar image of a serpent effortlessly passes over two companions and concrete barriers before resting at the mouth of a third person.

The opposite side of the grounds is a continuation of an apparent Mayan influence. Faces of grimacing, smiling, frowning, or expressionless natives line the archways and windows of the gallery and office doors. Full-figure representations, unencumbered by their concrete bodies, march and dance across the walls. Above the office door, a beaded headdress dons a head with hollow eyes and mouths resembling masks more so than flesh. Amidst the facial representations, nature emerges.

A walk under the risen sun and two long-tailed birds leads to the studio area where cats rest at the feet of a bellowing female sitting with outstretched arms and twisting twin snakes above a studio door. Crowned birds sit secure watching from windows of scrolling branches.

Paintings are rarer than the scant remnants of color visible at the Maitland Art Center; however, the color on one a set of studio doors is clearly discernible. Minstrels with golden-colored flesh, capes of blue and brown, and feathered headdresses entertain a winged image with the face of the sun. The clap symbols and strum a mandolin while paying paying homage to a he winged figure surrounded by zigzag patterns and a geometric frame of triangles, arches, and scrolls. The archway opposite the studio doors leads to an enclosed garden area where the spray from a second fountain can be seen. Outside, a rabbit leaps across the exterior wall and the journey ends.

## CHAPTER FIVE: THE SYMBOLISM

The library Smith amassed remains and provided some insight into his world. His collection of books proved pertinent in associating some of his architectural designs; however, deciphering the symbolic meanings of the iconography required the availability of outside resources for the 200 sculptures and reliefs.

Sections of the architecture bear a resemblance to portions of villas found in one of Smith's library books, Villas of Florence and Tuscany where the properties are described as being somewhat unapproachable with their walls and gates; however, "the real character becomes apparent once the visitor finds himself within" (Eberlein 10). Smith's compound was built with privacy as a priority. And while the outside walls hint at what lies inside, its character isn't fully revealed unless you pass through the iron gates. Once inside, narrow walkways lead to a fountain, gardens, and the concrete sculptures that line the archways, windows, and doors of the offices and studios (Fig. 6).



Fig. 6. Main Courtyard, Maitland Art Center



Hanging gardens are an architectural style common to gardens of Spain and Portugal. The one arching over the chapel courtyard walkway (Fig. 7) is similar to those found in Smith's collection entitled Spanish & Portuguese Gardens ( Fig.8).



Fig. 7. Hanging Garden, Maitland Art Center , 2005

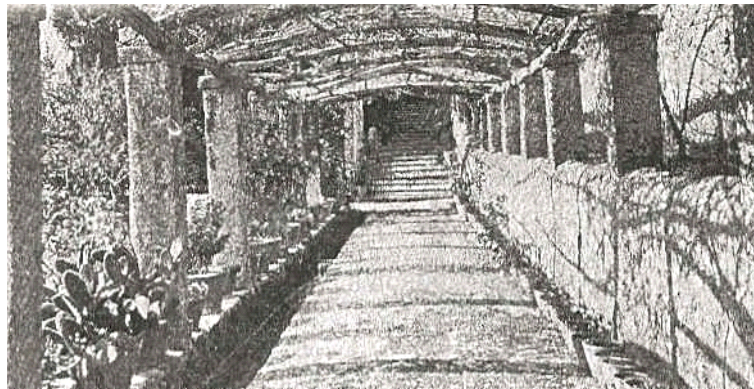


Fig. 8 . Hanging Garden A Pergola at La Granja De Fortuny , Nichols,  
Rose S. Spanish & Portuguese Gardens. Boston: Riverside Press Cambridge,  
1924.

A warrior (Fig. 9) found in the patio area adjacent to the Mayan room is dressed in the Mesoamerican-style loincloth, headdress, and spear with a cutout background similar to ones found in another of his books, Persian Art (Pope 25) (Fig. 10).



Fig. 9. Mayan Warrior, Maitland Art Center



Fig.10. Bit-plaque, bronze, cast.

Luristan, c. 1000 B. C. Pope, Arthur U..  
Persian Art . New York: The Dryden  
Press, 19.

Smith's creates a mix of demeanors as the snarled-faced images watching from the chapel walkway are reminiscent of death dieties (Miller 170) and the faces in the Mayan room with their well-defined brows, deliberately lined cheeks, and chiseled chins (Fig. 11) are more characteristic of Toltec or Chichen Itza images (Chase).



Fig. 11, Mayan Room, Maitland Art

Jack Hawkins designed the wall of colorized carvings in the Mayan room (Banca F. telephone interview) and contains the most gruesome concentration of imagery (Fig. 12). Portions of this panel are similar to a ballcourt relief found at Chichen Itza (Miller 185) believed to be passageways to the underworld (Laughton 59) and often the scene of grisly slaughters between captors and captives (Miller 184). The work depicts warriors dancing on a platform of skulls, demonic creatures dressed in jaguar clothing (Fig. 13) scale the walls, one-headed serpents are within striking range of warrior bodies, and two-headed serpents form a barrier between the dancers and the skull lineup. The skulls, like those in Chichen Itza,, may represent beheaded sacrificial captives from the ballcourt (Miller 66). The warriors' loincloths are typical of those found on Mayan stelae; however the gestures are more closely related to those found on the Mexican Codex Borgia as is the style and pose of the jaguar in the Mayan room (Chase).

Mayan religion dictated the one-headed serpents, like those found on this relief and throughout the facility, interacted with all worlds, mortal and spiritual, and all facets of life and death (de laGarza 75). The two-headed Vision Serpents found here provided rulers with a means to travel between the earthly and spiritual worlds. One of the heads serve as an entry point while the other functions as an exit route (Laughton 115). "The snake under the feet has great antiquity

in Maya Art. While not commonly on stelae and altars, it does appear in the Preclassic San Bartolo murals found four years ago (Chase).



Fig. 12, Colorized Carving,  
Mayan Room, Maitland Art Center



Fig. 13. Jaguar Creature  
Mayan Room, Maitland Art Center

The appearance of Buddhist style imagery found on the wall of the chapel courtyard is unique to the compound (Fig. 14). According to Robert Fisher, Buddhist art “is an elaborate assemblage of images of divinities and objects, ranging from a humble teacher and compassionate saviors to multi-headed, ferocious deities and extending to mysterious images and objects of bewildering complexity (Fisher R. 11). Most appear to be represented on this panel. The death deities and skulls on one of the panels with a detached open hand suggests fear intimidation. Buddha’s knotted headdress, known as the ushnisha, symbolizes “enlightenment and wisdom” (Seckel 160). The apparent flame protruding out of the top is a ushnisha characteristic of the Siamese Buddha (Seckel 165) as is the facial expression with its air of supreme authority and impervious attitude to all things worldly (Seckel 160). The Lotus

blossoms found in the background are ancient symbols of supremacy and signify the Buddha's authority in spiritual matters (Seckel 166).



Fig. 14, Buddhist Wall Panel, Maitland Art Center

The captive seeking refuge in the studio area (Fig. 15) may be a candidate for homage considering the Maya believed humankind survival was dependent upon human sacrifices to the gods and would periodically wage small battles for the purpose of obtaining human sacrifices (Laughton 109).



Fig. 15. Captive

Amidst the fierceness and suggestions of conflict, the non-threatening sun (fig. 16) can be seen repeatedly resembles features described by Soustelle as a being with exaggerated eyes “outlined with a border of relief decoration” and considered the “giver of life” (Soustelle 69). The description fits the creature on the painted studio doors; however, the rendition deviates from the typical Mayan representation (Chase).

The musicians on the studio doors (Fig. 16) appear to be a mix of cultures. Again, the headdresses and loincloths are associated with Mesoamerican cultures; however, their musical instruments are European (Chase). As mentioned above, the snake was common in Mayan mythology and the zigzag pattern framing the mural was often used to represent its presence (Laughton 102).



Fig. 16. Studio Doors, Maitland Art Center

On an outside wall opposite these doors moves the leaping rabbit that concluded the earlier tour (Fig. 17). It is believed a moon rivaling the sun’s brightness once existed and needed to be

dimmed. A rabbit was flung into it and managed to block the light earning it a place in the arms of the goddess and recognition as a mythical symbol (Laughton 69).



Fig. 17. Rabbit, Maitland Art Center

As with the Mesoamerican influence, the meaning behind the Christian iconography can be found in historical references beginning with the angels.

The word angel is derived from the Greek word for messenger Angelos (Langmuir 11) and has acquired universal status as religious icons. The heavenly ones are God's couriers, servants, attendants, and guardians (Langmuir 11-20). Considering their level of responsibility, it is understandable Smith would choose them to accompany the writing at the entrance to the chapel and deliver the earlier message beginning with the words "I stood at the gate of life..." (Fig 18):



Fig. 18. Angels, Maitland Art Center

The young man dressed as a monk opposite the angels is reminiscent of St. Francis of Assisi who, in addition to forfeiting all worldly goods, famous for communicating with wildlife (Fig. 19) (Fisher S. 130). We are told, “Birds, and other animals, including insects, listened attentively to Saint Francis whenever he addressed them”. Legend says at the end of this sermon, “the birds took flight and formed a cross in the sky ” (Fisher S. 130).



Fig. 19. Monk, Maitland Art Center



One of the portraits in the chapel area features a veiled and halo-bearing figure with two lilies (Fig. 20). According to art historians, lilies like those found in The Annunciation (c. 1333) (Fisher S. 41) and 14<sup>th</sup> century painting The Madonna de Parto with Two Devotees (Fisher S. 46). Traditionally symbolize an immaculate Virgin Mary (Fisher S. 38). Another member of the chapel holds a dagger in his hand. In religious art, this instrument is generally associated with the apostle Bartholomew flayed for his dedication to Christ (Giorgi 51).

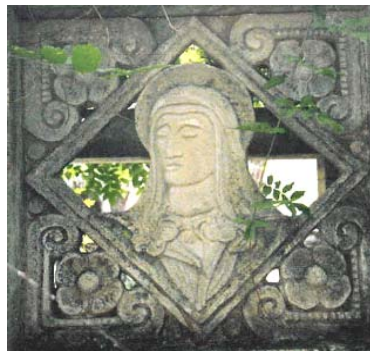


Fig. 20. Portrait With Lilies, Maitland Art Center

Smith incorporated a variety of crosses in the chapel decorum. The patriarchal cross hanging from the neck of one man may be a reference to Peter-- one of the twelve apostles and one of the first Church patriarchs (Fig. 21) (www.teachnet). The Maltese cross on the neck of another is often associated with the monk, theologian, and bishop” John of Jerusalem (c. 356-417) (John of Jerusalem) and is the current-day seal for the Order of St. John of Jerusalem (Fig. 22) (Foster). Recognizable figures to the Greeks were the apostles Paul, who evangelized in the streets of Greece (Wade), and Andrew, who taught in Scythia and Epirus (Giorgi 24). Additionally, there were the Fathers of the Greek Church--SS. Jerome, Christopher, Augustine, Basil the Great, Athanasius, Gregory Nazianzen, and Cyril (Clement 55). Given the theme of the chapel, it is plausible the Greek cross (Fig. 23) represents either one, or all, of these men. The X cross on

one of the altar podiums is traditionally representative of the apostle Andrew (Fig. 24). Thinking himself unworthy to be crucified on the same cross as Christ, the saint requested a cross of a different shape (Girogi 24). While there are no records documenting the type of cross Andrew died upon, early Christians adopted the X shape and designated it the St. Andrews cross.



Fig. 21. St. With Patriarchal Cross ,  
Maitland Art Center



Fig. 22. St. With Maltese Cross,  
Maitland Art Center



Fig. 23. St. With Greek Cross  
Maitland Art Center



Fig. 24. St. Andrew's Cross  
Maitland Art Center

Smith paired two symbols on another one of the chapel's podiums--a star and a crown (Fig. 25). One speaks to the Christ and the other to his followers. The five pointed star is recognized as symbolizing Christ who calls himself the "Bright Morning Star" in Revelation 22:16 and

referred to in Numbers 24:17 as “A star will come out of Jacob”. In Revelation 2:10, the crown is used to symbolize redemption when Christ promises “Be faithful, even to the point of death, and I will give you the crown of life”.



Fig. 25. Chapel Podium cross and crown, Maitland Art Center

The multiple images Smith incorporated to form the Latin Cross above the chapel pool (Fig. 26) are distinctively Christian but not solely related to the crucifixion. Multiple representations of the Holy Spirit have evolved over the centuries from one of a three-headed man, “a set of identical triplets” and “three interlocking circles” before the dove emerged as the favored icon (Fisher S. 84). Smith chose five of these creatures to surround the head of Christ looking down to the chapel altar. Below Christ, a hand points upward. The hand has represented God the Father since the earliest periods of Christian art when artists struggled with a ‘correct’ image (Fisher S. 83). The chalice from which two peacocks are drinking represents religious faith with the Peacocks signify the crossing over of the human spirit from the earthly to the eternal life (Clement 130, 132).

As the peacocks quench their religious thirst, below them move two interlocking fish with dual meanings. The first is based on Christ’s challenge to his disciples to be “Fishers of men.”

(Fisher S. 29); secondly, they symbolize water and baptism (Clement 129). The inscription IHS below the fish originates from the “first three letters in the Greek spelling of Jesus’ name” (The Holy Name of Jesus).



Fig. 26. Chapel Cross Formation, Maitland Art Center

The crucified Christ in the chapel (Fig. 27) is displayed with his arms extended and his feet placed side-by-side. While he hangs from a cross, free from nails, the image is more of a reigning Christ than a suffering one indicative of the ‘Majestad’ representation that appeared during the Romanesque period (Harries 53-54). At His feet sit the two figures commonly placed at the foot of the cross-- Mary, the mother of Jesus, and John the Evangelist (Drury 104), author of the Book of Revelation and the lone apostle who would not desert Christ at His crucifixion (Giorgi 197).



Fig. 27. Crucifixion, Maitland Art Center

Surrounding all the faces in the chapel is the halo. The original one is attributed to rays created from garland belonging to the Greek sun god Helios (Soustelle 69). Eventually, it took on other forms, one of which is the familiar round halo found on the faithful in Smith's chapel.

The last two images occur repeatedly in Smith's Mayan and Christian pieces--scrolls and flowers. The scroll was an astronomical symbol thought to represent clouds that the Maya used to depict the heavens (Laughton 58). The four-petal flower was the shape of the universe that supported all life and was encircled by the elements of nature (Lozoya 85).

Although Smith was not forthcoming with explanations regarding his choice of imagery, he did provide one thought regarding the close proximity of Christian and pagan symbols in the chapel and chapel courtyard area. When Loessing inquired as to why the placement of the Christian and pagan art in the chapel area, Smith replied "That's the way life really is" (Loessing 2).

In summary, with the pagan images there appears to be a mix of cultural similarities. As Chase informs us, the faces in the Mayan room bear a close resemblance to the Toltec or

Chichen Itza images. The creatures and gestures on the wall by Jack Hawkins are similar to the jaguar and movements found on the Mexican Codex Borgia. The painted musicians on the studios doors and their musical instruments are more European than Mesoamerican. The loincloths are typical of those found on Mayan stelae; however, the body movements are not.

Unlike the pagan imagery, the Christian representations of angels, crosses, doves, peacocks, saints, and other iconography are clear choices based on well-known symbols. Their meanings can be traced through documented literature.

## CHAPTER SIX: CONCLUSION

According to court documents and statements issued by Smith to the press, his ambition was to build a retreat where artists could experiment in their chosen media exempt from outside influences. Accounts given by the surviving artists and Florence Banca testify to his success in achieving this goal; however, his means of financial support were incapable of securing a long-term survival. Had Smith been able to garner substantial financial support from a variety of sources, his vision may have been able to remain in tact after his death; however, I see his dependency on one contributor, Mary Louise Curtis Bok, as the deciding factor in the inability of the facility to sustain it after 1959. The pitfalls of such a dependency became readily apparent when the Central Florida Museum assumed the responsibility of Smith's legacy. Unable to support an artist the artist-in-residency program, that aspect of Smith's program quickly evaporated. Because the new owners were unprepared to provide the financial means required to maintain the buildings and gardens, the structures deteriorated and the gardens succumbed to weeds. With such an under-funded venture, a second sale was inevitable.

Although the Central Florida Museum found a stable buyer in the City of Maitland, it does alter the role of finances—they continue to dictate a deviation from Smith's original plan. Where Bok's generosity supported Smith's artist-in-residency program, in today's environment, this is an unaffordable accommodation since it does not contribute to the bottom line. Smith could exhibit the works of the visiting artists without eyeing the financial benefits. Should the Maitland Art Center choose the same course, they would be relinquishing the attention and

donations created by exhibiting works of accomplished artists. Smith's privacy was also built into his original plans. It was a prized commodity that does not fit today's budget considering rentals of the property by private parties are estimated at \$27,000 for the fiscal year of 2006.

If Smith were to visit his legacy tomorrow, he may wince at the lack of privacy and on-going research; however, he would approve of the efforts put forth over the last few decades to preserve the structures and artwork that consumed over twenty years of his life. He would also understand that unlike himself, his vision does not have a wealthy benefactor to sustain it; salaries, maintenance, and needed repairs are dependent on programs and the generosity of donors. An artist-in-residency program cannot be supported and visits by the public are not 'by invitation only'. These issues have caused a deviation from Smith's original plans. Although the vision has been restructured due to changes in ownership, management philosophies, and financial challenges, its reputation still remains as a place for art and Smith's spirit to roam the grounds as the immortal artist-in-residence.

With regard to determining Smith's unusual mix of imagery, interviews and newspaper articles did not answer the question. It was generally perceived he was influenced by the discovery of ancient Mayan ruins occurring at the time. However, in a statement to friend and photographer, William Grover, Smith noted: "Many people have commented about the Mayan or Aztec character of these decorations. I have never studied Mayan architecture or art, and there was no conscious effort on my part to display these influences. Rather, these things came to my mind unconsciously as complete, natural expressions. Perhaps a Mayan or Aztec influence is present, but it must have come from something which impressed itself upon me quite casually" (Grover 65). I found these words puzzling considering the similarities to the Mesoamerican culture and the Mayan room he named yet he makes a similar comment in his book, *Art and the*



*Subconscious*: “These forms [watercolors] were dictated rather than instigated. They came from the inside rather than the outside” (Smith, Art and 15). By his own admission, he did not contemplate the works of those cultures we associate with his sculptures and reliefs; however, it does not preclude a physiological characteristic of the human brain. We have a warehouse of memories occupying a part of our brain that get inventoried based on how we perceive things. As these memories get replayed during restful periods of sleep, they become stronger impressions until “there comes a time when memories and the person who holds them are effectively one and the same” (Carter 158). When Smith began his work it was with purpose and planning. There was a conscious effort to position Christian symbols within close proximity to pagan artworks--the religious objects are historically significant and distinctively Christian; the representation of loincloths, snakes, and jaguars are undeniably Mesoamerican in nature. Smith was well-read and creative. He may not have known what influences created and then summoned this choice of imagery from his cranial warehouse; however, the styles are not foreign to us nor, based on his library, were they foreign to him. It appears he called upon accumulated knowledge and applied artistic license to ancient and well-known cultural representations.

Considering the extent of Smith’s personal commitment towards representing two opposing dogmas, Christianity and paganism, his statement “That’s the way life really is” becomes significance. The relationship between the two is rife with conflict and an underlying current of intolerance. Life for a Christian involves a dedication to a single God, faith, and baptism. The teaching embraces a belief in the presence of three persons--Father, Son, and Holy Spirit--in one God. The Son, Jesus Christ, came to earth to redeem humankind’s sins, suffered a crucifixion for his teachings, and later rose from the dead as the world’s spiritual savior ( Stokstad 289-290).

The laws of His followers are contained in the Holy Bible as dictated by Christ to his apostles, postmortem (Newadvent 8). This sacred book of scriptures has a profound influence on the Christian's life from birth to death when eternal damnation or eternal happiness is determined by adherence to the scriptures and a commitment to the one true God (Newadvent 11).

Paganism is defined as any faith that is not Christian, Jewish, or Muslim (Paganism 1). Unlike Christian sects, pagan societies do not share in the devotion to a Divine Trinity or one god. Their ideologies can spring from a series of events, visions, or interpretation of dreams with unknown beginnings (Blain, Ezzy and Harvey 242). This medley of origins combined with a belief that everything has a spirit leads to a polytheistic religion. For example, the god summoned for a bountiful crop would differ from the god capable of providing protection from adversaries. In stark contrast to Christianity, favor with supernatural beings generally involved human sacrifice. The Mesoamerican people represented one of those cultures whose rituals accounted for an estimated 50, 000 deaths annually (Mesoamerican 2).

The theological differences between Christian and non-Christian dogmas have been sources of contention throughout history. When Christianity was in its infancy, pagan Romans found sport in feeding the Christians to the lions. In the eleventh century, Christian Crusaders began spreading the faith with battle and bloodshed as they attacked the Muslim world and areas of Europe (Crusades). Spanish invaders of the sixteenth century slaughtered the Mesoamerican 'barbarians' declaring their practices to be "idolatrous devil worship" (Mesoamerian 1). Each barbaric action involved extreme levels of intolerance.

By showcasing these sects, Smith leaves us with a juxtaposition of opposing viewpoints. The warring history of these philosophies represents eras of intolerance characterized by an

us-versus-them mentality and a continuing clash of personal convictions. Modernity's eruptions of intolerance occur with differing opinions on the status of prayer in school, the choice of words printed on our money, the existence of life after death, the morality of abortion, the right to die, the effect of capital punishment, protests against war, and protests against the protestors.

Compromise is as elusive with these issues as it has been with Christians versus pagan spirituality. Considering the combative relationship represented by the imagery that prompted the statement, "That's the way life really is", implying life's baggage is packed with a substantial opposition is a reasonable interpretation.

Smith was a person dedicated to the promotion of modern art and the development of the creative mind. His usage of established ancient symbolism may seem to contradict his advocacy of modern art until you consider the following: The Research Studio was designed with art on the outside walls instead of hanging from interior space, the building material doubled as a canvas, the traditional chapel space appeared in an unorthodox setting, and he borrowed from established imagery to make it his own. Lastly, the environment he provided for others to explore new ideas is a testament to his promotion of modern art.

In closing, the legacy has withstood vandalism, court battles, and financial challenges. None of these have destroyed the spirit of the work Smith labored over so intensely. According to Orr, most of it now appears as it was when Smith was in charge. Some of it has been restored and other areas are in need of repair; however, the landscape he created continues extending an invitation to "Let your thoughts rest here a while in beauty and in love".

## **APPENDIX A: SMITH'S WILL**

FILED  
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PAGE  
MAR - 5 1959  
GEORGE E. ADAMS  
COUNTY JUDGE  
BY *[Signature]*

#15610

LAST WILL AND TESTAMENT

I, JULES ANDRE SMITH, of Stony Creek, in the County of New Haven, and State of Connecticut, being of sound and disposing mind, memory and understanding, do hereby make, publish and declare this to be my Last Will and Testament, in manner and form following:

FIRST: I hereby revoke each and every will and codicil by me at any time heretofore made.

SECOND: I direct that all my just debts and funeral expenses be paid as soon after my decease as may be practicable and for the best interests of my Estate.

THIRD: I give and bequeath unto my Trustee, hereinafter named, all of my notes, bonds, stocks, securities, book accounts, evidences of indebtedness, money on hand or on deposit, and intangible personal property, IN TRUST, NEVERTHELESS, to receive, hold, invest and reinvest the same, and to receive the income thereof, and, after paying therefrom all lawful charges and expenses, to pay over the net income, in equal monthly installments, as nearly as may be, unto my friend and companion, ATTILIO JOHN BANCA, for and during the term of his natural life; and from and after the death of said ATTILIO JOHN BANCA, to pay such net income to the wife of said ATTILIO JOHN BANCA who shall survive him, if such wife of said ATTILIO JOHN BANCA was in being at the date of my death; and upon the death of the survivor of said ATTILIO JOHN BANCA and his said wife, or upon the death of said ATTILIO JOHN BANCA if he leaves surviving him no wife of his who was in being at the date of my death, the said trust shall terminate and come to an end; and the trust estate shall thereupon be divided into as many equal parts as there shall be lawful children of said ATTILIO JOHN BANCA surviving at the date of termination of said trust and deceased lawful children of said ATTILIO JOHN BANCA leaving lawful issue surviving at the date of

*Jules Andre Smith*

*Joint Exhibit*

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|-------------------------|----------|-----|
| DATE FILED              | CASE NO. | EX. |
| 9-13-68                 | 86-5278  | 1   |
| ARTHUR W. NEWELL, CLERK |          |     |

*11/26*

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termination of said trust, and one of such equal parts shall be paid over, free and discharged from trust, to each such surviving lawful child of said ATTILIO JOHN BANCA, and another of said equal parts shall be paid over, free and discharged from trust, in equal shares per stirpes and not per capita, to the surviving lawful issue of each such deceased lawful child of said ATTILIO JOHN BANCA; but if there be no lawful child or issue of said ATTILIO JOHN BANCA surviving at said date of termination of said trust, then the said trust estate shall be divided into two equal parts, and one of said equal parts, or, if neither my brother, GEORGE MILTON SMITH, nor any lawful child or issue of his, shall be then surviving, then both of said equal parts, shall be paid over, free and discharged from trust, to my sister, AUGUSTA SMITH JOANNES, if she be then surviving, or, if she be not then surviving, then, in equal shares per stirpes and not per capita, to her surviving lawful issue; and the other of said equal parts of said trust estate, or, if neither my said sister, AUGUSTA SMITH JOANNES, nor any lawful child or issue of hers, shall be surviving at the date of said termination of said trust, then both of said equal parts of said trust estate, shall be paid over, free and discharged from trust, to my said brother, GEORGE MILTON SMITH, if he be then surviving, or, if he be then deceased, then, in equal shares per stirpes and not per capita, to the then surviving lawful children and issue of my said brother, GEORGE MILTON SMITH.

*Julia Ann Smith*

FOURTH: All the rest, residue and remainder of my property, real, personal and mixed, and wheresoever situate, I give, devise and bequeath unto said ATTILIO JOHN BANCA.

FIFTH: It shall not be necessary for my Executor or Trustee to divert any part of the income of the trust herein created to the formation of any sinking fund or funds to replace premiums upon or loss of principal by depreciation in value of any investments held in said trust. All profits realized upon the sale of any real or personal property forming a part of the principal of the trust hereby created

W.D. 11.10

shall be added to the principal of the trust estate, and all losses incurred in connection with any real or personal property constituting principal of such trust estate shall be a charge against the principal thereof.

SIXTH I authorize and empower my Executor, hereinafter named (as to my Estate), and my Trustee, hereinafter named (as to the trust herein established), and their respective successors, to fix and determine the valuation of my Estate, and of all parts thereof; to compromise and compound any claims against or in favor of my Estate or said trust herein established, as he or it may deem expedient; to sell and convey the whole or any part of the property, real, personal, or mixed, belonging to my Estate or to the said trust estate hereby created, at public or private sale, on such terms and conditions as may seem to him or it expedient, and no purchaser at any such sale shall be bound to look to the application of the purchase money; to borrow money for the purposes of my Estate or of said trust; to partition, mortgage, lease or improve any or all of such real property, and to hypothecate, exchange, invest and reinvest any or all such personal property, to execute all proper conveyances, transfers, obligations and instruments of whatsoever nature; to retain as part of my Estate and of the said trust estate hereby created any real estate, stocks, bonds, loans or other investments which I may own at the time of my decease; to invest and reinvest the funds of said trust estate in such securities or investments, including common and preferred stocks and bonds, as said Trustee, in its absolute discretion, may deem advisable, whether or not the same are of the character prescribed by law for trustees' investments; but, as to the investments or reinvestments made after my death, not more than one-fourth part of the said trust hereby created shall be invested in any one security or investment at any one time; and generally to do all such further acts and things and exercise all such further powers as may be or become necessary or desirable in the control or management of, and the preservation of the assets of my Estate or said trust estate, or any part thereof.

*Julio Andres Parilla*

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It shall not be necessary that the securities and investments in which the funds of my Estate or the trust hereby created may from time to time be invested be kept in the State of Connecticut, but any or all of the same may be kept wherever my said Executor or Trustee shall, in his or its discretion, deem advisable and for his or its convenience.

SEVENTH: without limiting the powers of executors and trustees granted by law, my said Executor and Trustee are hereby authorized and empowered to employ legal and investment counsel and pay the fees of such legal and investment counsel out of principal or income; and my said Executor and Trustee are hereby authorized and empowered to exercise all rights to vote, subscribe for new issues, give proxies and powers of attorney, join and take part in any and all mergers, reorganizations and consolidations with respect to securities and investments in which the Estate or the trust fund may be invested, and to pay and charge to principal any assessments in that regard; to keep the same registered in the names of their nominees, and to deposit the same for safe-keeping with any bank, trust company or investment house, and to keep the same registered in the names of such custodians or their nominees.

EIGHTH: I hereby nominate and appoint my said brother, GEORGE MILTON SMITH, of the Town of Branford, in the County of New Haven and State of Connecticut, to be Executor of this my Last Will and Testament, and request that he be exempt from giving security on his official bond. I nominate, constitute and appoint FIDUCIARY TRUST COMPANY OF NEW YORK, New York, N. Y., to be Trustee of the trust herein established. I direct that my said Executor shall not be responsible for any error of judgment, nor for anything other than his own wilful default or malfeasance.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal, and I have identified each of the five (5) sheets of



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this my Will by signing my name in the margin hereof, all being done on this 20<sup>th</sup> day of April, in the year of Our Lord One Thousand Nine Hundred and Forty (1940).

Jules Andre Smith (H.S.)

The foregoing instrument, consisting of five (5) sheets (this included) was, on the day it bears date, subscribed and sealed by JULES ANDRE SMITH, the Testator therein mentioned, in the presence of all of us and of each of us (all of us being present at the same time) and at the time of making such subscription the said Testator, JULES ANDRE SMITH, published and declared the said instrument to be his Last Will and Testament, and he, the said Testator, thereupon requested each and all of us to subscribe to same as witnesses, and we there and thereupon, at his request, in the presence of said Testator, and in the presence of each other, subscribe our names thereto.

Helen Aubrey Pratt  
Residing at 1551 Jessamy Road  
Winter Park, Fla.

George Campbell Keiser  
Residing at Via Lugano  
Winter Park, Florida

Dr. Yankler Rogers II  
Residing at 1821 Via Lugano  
Winter Park, Florida

Jules Andre Smith

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#1210

I, JULES ANERE SMITH, of Maitland, Orange County, Florida, formerly of Stony Creek, New Haven County, Connecticut, do hereby declare this to be a First Codicil to my Last Will and Testament dated the 20th day of April, 1940, in manner and form following:

A. I amend Item Sixth of my said Last Will and Testament by removing the word "Connecticut" from the third to the last line and inserting the word "Florida" in lieu thereof.

B. In paragraphs Fifth, Sixth and Seventh of my said Will, where the word Executor is used, such word shall be construed as Executrix.

C. I revoke the present paragraph Eighth and insert the following new paragraph:

EIGHTH. My Trustee shall receive for its services with respect to personal property held by it as Trustee under any provision of this Will including accumulated income compensation at the rate of 1% per annum of the market value of such personal property up to \$100,000 and at the rate of 1/2 of 1% per annum of that part of such value which is in excess of \$100,000. It shall value the personal property annually and it may take such compensation quarterly and charge the same against either principal or income or in part against both as it shall determine in its discretion.

D. I insert the following new paragraphs:

NINTH. Without limiting the powers of my Executrix or Trustee otherwise given, I further authorize my Trustee

(a) To hold all or any part uninvested for such periods of time as it shall deem advisable;

(b) To manage, maintain, improve, lease (for any term whether or not extending beyond the term of the trusts created by this Will or the term fixed by any law), mortgage, partition or otherwise dispose of any real or personal property or any interest therein; to make alterations in any buildings now or hereafter located on any property or to demolish the same; to construct new buildings; all without authorization by any court and in such manner and upon such terms and conditions as it shall deem advisable; and to enter into

*Jules Anere Smith*

w6

contracts or grant options with respect to any of the foregoing;

(c) To foreclose mortgages and bid in property under foreclosure or to take title to property by conveyance in lieu of foreclosure; either with or without payment of consideration; to continue mortgage investments after maturity, either with or without renewal or extension, upon such terms as it shall deem advisable; to consent to the modification, renewal or extension of any note, whether or not secured, or any bond or mortgage, or of any term or provision thereof, or any guarantee thereof, or to the release of such guarantee; to release obligors on bonds secured by mortgages or to refrain from instituting suits or actions against such obligors for deficiencies; to use such part of the property held under this Will as it shall deem advisable for the protection of any investment in real property or any mortgage on real property;

(d) To abandon any property, real or personal, which it shall deem to be worthless or not of sufficient value to warrant keeping or protecting; to permit any such property to be lost by tax sale or other proceedings, or to convey any such property with or without consideration;

(e) To pay any legacy or make any division, distribution or partition of property in kind or otherwise and to allot any property, including an undivided interest therein, to any part whether or not the same kind of property is allotted to other parts.

*of the trust with*

TENTH. (a) Dividends, interest, rents and similar payments received in cash shall normally be dealt with as income, whether ordinary or extraordinary and whether or not in the nature of liquidating dividends, dividends on mining stocks or other assets of a wasting nature, a return of capital or a distribution from depletion reserves (and irrespective of any statement the corporation declaring such dividends may make with reference thereto) and whether or not the investments to which such payments relate shall have been purchased at a premium and irrespective of the character of the assets or account out of which they are paid or the time when they shall have accrued or accumulated or shall have been earned, declared or payable or the time for the determination of the persons entitled thereto, but my Trustee is authorized in its absolute discretion to allocate the whole or any part of any such payment to principal if it shall deem

such action advisable.

(b) Dividends paid in, and rights to subscribe to, securities or other property, whether or not of the same corporation, shall normally be dealt with as principal, but my Executrix, and also my Trustee, as the case may be, is authorized in her or its absolute discretion to allocate all or any part of any such dividend or right to income if she or it shall deem such action advisable.

(c) The proceeds from the sale, or other disposition, whether at a profit or loss, of any property constituting principal, including mortgages and real estate, shall normally be dealt with as principal, even if the property shall have produced no income, but my Executrix and also my Trustee is authorized in her or its absolute discretion to allocate the whole or any part of any such proceeds to income if she or it shall deem such action advisable.

(d) Any dividends, interest, rents and other similar payments which remain unpaid at the time of my death and are thereafter received by my Executrix or by my Trustee shall normally be dealt with as though the same constituted income earned after my death notwithstanding the fact that the same may have been earned, accrued or accumulated or, in the case of dividends, declared prior to the time of my death, but my Executrix and also my Trustee is authorized in her and its absolute discretion to allocate the whole or any part thereof to principal if she or it shall deem such action advisable.

(e) Normally there shall be no apportionment of income to any beneficiary under this Will whose interest therein shall terminate by death or otherwise prior to the time when the same is due and payable to my Executrix or my Trustee; the whole of such income shall be paid to the next income beneficiary of the fund which produced such income or, if there shall be no such income beneficiary, to the person or persons entitled to the principal of the fund which produced such income, but my Trustee is authorized in its absolute discretion, if it shall deem such action advisable, to pay all or any part of such income to the beneficiary or the estate of the beneficiary whose interest therein shall have so terminated.

*John Parker Smith*  
*Adm*

ELEVENTH. I direct that all income produced or earned by any asset of

my Estate shall be treated as income accruing to the benefit of the trust income beneficiaries under Item Third of my Will, to the effect that no such income shall be added to principal as now provided by the Statutes of the State of Florida, excepting however that any income earned or produced by any part of the rest, residue and remainder of my Estate shall be distributed direct to Attilio John Banca.

TWELFTH. I nominate and appoint Florence Lovassa Banca, of Maitland, Florida, as Executrix of this my Last Will and Testament, and direct that she be permitted to serve without giving bond. I nominate, constitute and appoint Fiduciary Trust Company of New York, N. Y. to be Trustee of the trust herein established.

E. In all other respects I do hereby confirm and republish my said Last Will and Testament.

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed my seal, and I have identified each of the three preceding sheets of this Codicil by signing my name in the margin thereof, this 8<sup>th</sup> day of June, A. D. 1950.

Jules Andre Smith (SEAL)

Signed, sealed, published and declared by the said testator, JULES ANDRE SMITH, as and for a First Codicil to his Last Will and Testament, in the presence of us, who, at his request, in his presence and in the presence of each other, have hereunto subscribed our names as witnesses this 8<sup>th</sup> day of June, A. D. 1950.

Abbe Carpenter                      Richard E. ...  
Edith F. Dickson                      Oprens, ...

FILED  
PROBATE RECORD 239  
PAGE 136-14  
MAR - 5 1959  
GEORGE E. ADAMS  
COUNTY JUDGE  
*George E. Adams*

#15610

I, JULES ANDRE SMITH, of Maitland, Orange County, Florida, do hereby declare the following to be a Second Codicil to my Last Will and Testament dated the 20th day of April, 1940, in manner and form following:

1. I hereby give and bequeath to Research Studio, Inc., a Florida corporation, my entire collection of my personal works of art, consisting of etchings, drawings, sculptural pieces, but excluding certain of my paintings and prints which I have heretofore given to my friend Attilio Banca, which are at present in his summer residence at Stony Creek. This gift shall include not only my personal collection, but any additions which may be made thereto up to and including the date of my death.

2. Considering the fact that the great bulk of my estate will pass into the trust to be established pursuant to my Last Will and Testament, I direct that all estate, transfer, succession and other similar taxes shall be paid out of the assets which would otherwise pass into the trust.

3. In all other respects I do hereby confirm and republish my said Last Will and Testament.

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed my seal this 14th day of November, 1950.

Jules Andre Smith (SEAL)

Signed, sealed, published and declared by the said testator, JULES ANDRE SMITH, as and for a Second Codicil to his Last Will and Testament, in the presence of us, who, at his request, in his presence and in the presence of each other, have hereunto subscribed our names as witnesses this 14th day of November, 1950.

Al Carpenter Thomas, Fla.  
J.P. West " "  
Sam F. DeLeon " "

FILED 39  
PROBATE RECORD  
PAGE 127  
MAR - 5 1959  
GEORGE E. ADAMS  
COUNTY JUDGE  
BY Frank CLERK

#15610

I, JULES ANDRE' SMITH, of Maitland, Orange County, Florida, do hereby declare the following to be a Third Codicil to my Last Will and Testament dated the 20th day of April, 1940, in manner and form following:

1. To the portion of my Will marked NINTH I add an additional subparagraph, to be marked (f), such Paragraph Ninth appearing in the First Codicil to my said Last Will and Testament:

(f) From time to time to expend out of the capital or principal of the said Trust Estate such sum or sums of money as in the opinion of my Trustees in its sole and uncontrolled discretion shall be advisable, necessary or proper for the comfort, maintenance or support of any beneficiary then receiving any part of the income therefrom, or the members of his or her immediate family, or for the descendants of any beneficiary then receiving any part of the income, in the event of illness, accident, loss by fire, dire need, necessity for operation, or any other case of necessity or emergency, without any liability or responsibility for or by reason of any payments of money so made out of the capital or principal of said Trust, or for the application thereof by the person or persons to whom such payments may be made.

2. In all other respects I do hereby confirm and republish my said Last Will and Testament and the First and Second Codicils thereto.

IN WITNESS WHEREOF I have hereunto set my hand and seal this 14th day of March, 1952.

Jules Andre' Smith (SEAL)

Signed, sealed, published and declared by the said testator, JULES ANDRE' SMITH, as and for a Third Codicil to his Last Will and Testament, in the presence of us, who, at his request, in his presence, and in the presence of each other, have hereunto subscribed our names as witnesses this 14th day of March, 1952.

W. Carpenter Orlando, Fla.  
Paul F. Dickson " " "

FILED  
PROBATE RECORD 239  
PAGE 138  
MAR - 5 1952  
GEORGE E. ADAMS  
COUNTY JUDGE  
BY Christina C. Clark CLERK

## **APPENDIX B: LIS PENDENS**



998652  
FEB 23 4 36 PM 1955  
1420 pt 267

IN THE CIRCUIT COURT OF THE  
NINTH JUDICIAL CIRCUIT, IN AND  
FOR ORANGE COUNTY, FLORIDA.  
IN CHANCERY NO. 61463

MAURY HURT and WILLIAM A. ORR,  
Plaintiffs,

v.

ATTILIO J. BANCA and FLORENCE L.  
BANCA, his wife; THE CENTRAL FLORIDA  
MUSEUM, a non-profit Florida corporation;  
DONALD J. BARKER; DR. GEORGE L.  
CRISLER; ROBERT W. CUTHILL; LORENA  
D. GAY; FRANK P. GLACKIN, JR.; THOMAS  
E. GORDON, JR.; GRACE PHILLIPS  
JOHNSON; JESSICA JOHNSON; HENRY H.  
KUBIK, JR.; CHARLES E. LeGETTE;  
WILLIAM R. MARTIN; DR. JOSEPH E.  
O'MALLEY; NEIL G. POWELL; CLEMENS  
P. ROETHER; JERRY ROSS; DR. HAROLD  
J. SHANER; SIDNEY A. SINGLETON; LEY  
H. SMITH; ROBERT E. SMITH; ELSIE  
STEUER; ROSEMARY STOKES; DR. PAUL  
L. THOMPSON; COUNTESS ELIZABETH C.  
van der STEGEN; CHARLES T. WADSWORTH;  
SIDNEY C. WARD; ALFRED P. WEST, as officers  
and directors of The Central Florida Museum, as  
aforesaid, Defendants.

FILED IN OFFICE  
FEB 23 4 31 PM '55  
LEONARD W. NORTON, CLERK  
OF THE CIRCUIT COURT  
OF ORANGE COUNTY, FLORIDA  
*John R. ...*

L I S P E N D E N S

NOTICE IS HEREBY GIVEN that on the 23rd day of February,  
1965, a Complaint was filed in the above entitled cause, wherein MAURY HURT  
and WILLIAM A. ORR are the Plaintiffs, and ATTILIO J. BANCA and FLORENCE  
L. BANCA, his wife; THE CENTRAL FLORIDA MUSEUM, a non-profit Florida  
corporation; DONALD J BARKER; DR. GEORGE L. CRISLER; ROBERT W. CUT-  
HILL; LORENA D. GAY; FRANK P. GLACKIN, JR.; THOMAS E. GORDON, JR.;  
GRACE PHILLIPS JOHNSON; JESSICA JOHNSON; HENRY H. KUBIK, JR.; CHARLES  
E. LeGETTE; WILLIAM R. MARTIN; DR. JOSEPH E. O'MALLEY; NEIL G.  
POWELL; CLEMENS P. ROETHER; JERRY ROSS; DR. HAROLD J. SHANER;  
SIDNEY A SINGLETON; LEY H. SMITH; ROBERT E. SMITH; ELSIE STEUER;  
ROSEMARY STOKES; DR. PAUL L. THOMPSON; COUNTESS ELIZABETH C. van  
der STEGEN; CHARLES T. WADSWORTH; SIDNEY C. WARD; and ALFRED P. WEST  
as officers and directors of The Central Florida Museum, as aforesaid,

Lis Pendes Page 1

are defendants. The real estate involved in said suit is the following described property, lying and being in Orange County, Florida, to-wit:

- PARCEL ONE: Lots 1, 2, 3, 4, and 5 of ISAAC VANDERPOOLS ADDITION TO MAITLAND, FLORIDA, according to plat thereof recorded in Orange County, Florida, in Plat Book B, page 70.
- PARCEL TWO: Lots 18 through 45, inclusive, of LAKE SYBELIA HEIGHTS, as per plat thereof recorded in Plat Book J, page 22, Orange County Records, and South 20 feet of Lots 46 and 47, of said Lake Sybelia Heights.
- PARCEL THREE: ALSO: Lots 8, 9, 10 and 11 of ISAAC VANDERPOOLS ADDITION TO MAITLAND, FLORIDA, according to plat thereof recorded in Orange County, Florida, Plat Book B, page 70.
- PARCEL FOUR: ALSO: Beginning at a point three hundred sixty-four and one-half 364.5 feet west and twenty (20) feet south, 0° 01' west of the northwest corner of northeast 1/4 of the northeast 1/4, Section 36, Township 21 south, Range 29 east, run south 0° 01' west, a distance of one hundred forty-five and one-half 145.5 feet, thence west fifty (50) feet, thence north 0° 01', east one hundred forty-five and one-half 145.5 feet, thence east fifty (50) feet to point of beginning.

The relief sought by the said suit is the entry of a restraining order enjoining the sale of the above described property, for declaratory relief in connection therewith, and for the appointment of successor trustees.

BISHOP, BORNSTEIN,  
TURNBULL & PETREE

56 East Pine Street

Orlando, Florida.

*Rowley Bishop*  
Of the Firm of BISHOP, BORNSTEIN,  
TURNBULL & PETREE,  
Attorneys for Plaintiffs.

RECORDED & RECORD VERIFIED

*J. W. ...* Clerk of  
Circuit Court, Orange Co., Fla.

Lis Pendes Page 2

## **APPENDIX C: FRIENDS OF THE ART CENTER BROCHURE**

FRIENDS OF THE MAITLAND ART RESEARCH CENTER was officially formed at a public meeting on July 7, 1965 when Artists Bill Orr and Maury Hurt presented documented facts surrounding the proposed sale of the Art Center, why they opposed the sale and filed suit against the Central Florida Museum.

The function of FRIENDS OF THE MAITLAND ART RESEARCH CENTER is to get the Art Center deeds back from the Central Florida Museum and into proper management as can be provided by a university system.

University management can provide the qualified personnel and sufficient funds to effectively operate the Art Center, maintain and expand the facilities, and add to the Center's stature as a museum.

Dedicated professional management, moreover, would attract artists of national recognition, infuse new dimensions of culture and art education into the area, and materially benefit the public as well as the entire Central Florida area.



Photos: (left) Mary Curtis Bok (below) Andre Smith (bottom) Concept of Potential



**ANDRE SMITH AND THE ART CENTER**

The history of the Maitland Art Research Center goes back to 1937 when J. Andre Smith designed and executed what was then known as The Research Studio. Smith was President and Director of this non-profit organization from the time of its conception until his death on March 3, 1959.

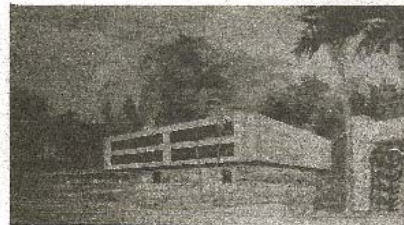
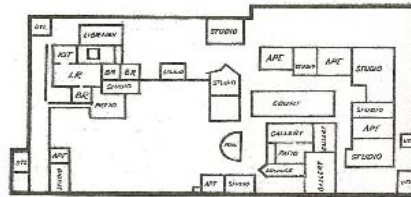
He was born in Hong Kong in 1880; received his education from Cornell University, graduating in 1902, and earned a Gold Medal from the San Francisco International Exposition in 1915 for his etching.

During World War I, he served as an Army Captain, the first of eight artists appointed by the U. S. Government to record the activities of the American Expeditionary Forces. He subsequently designed the Distinguished Service Cross and murals for the War, State and Navy Departments.

He journeyed to Florida in 1929 and decided to make Maitland his permanent home. While designing and building sets for actress Annie Russell, he met Mary Curtis Bok, now Mrs. Effrem Zimbalist, Sr. It was through her generosity and interest in Andre's work that The Research Studio was established. The dedication reads, "The Research Studio was founded in 1937 by Mary Curtis Bok for the purpose of encouraging the explorative approach to the art problems of the day."

When Andre died in 1959, Mrs. Zimbalist reassigned a substantial sum of money to the two remaining board members with instructions to find an institution under whose auspices the Studio would be continued as originally intended. Two board members of the Central Florida Museum became board members of The Research Studio. On November 30, 1962, all property and assets were conveyed to the Central Florida Museum, after outlining a dynamic program and promising to perpetuate the Center according to the original Charter.

The Maitland Art Research Center remained open to the public for a total of 12 months. In November 1964, the Central Florida Museum announced "a decision was reached to close the Maitland Art Research Center and make the property available for sale. Proceeds would be immediately converted to new construction and expansion of the Central Florida Museum." Because the two original directors would not file a "stop sale" suit for the unjust enrichment of the Central Florida Museum, Artists Bill Orr and Maury Hurt did in February 1965. For the first time on July 7, 1965, they explained the facts surrounding the sale at a public meeting which resulted in formation of the group known as FRIENDS OF THE MAITLAND ART RESEARCH CENTER.

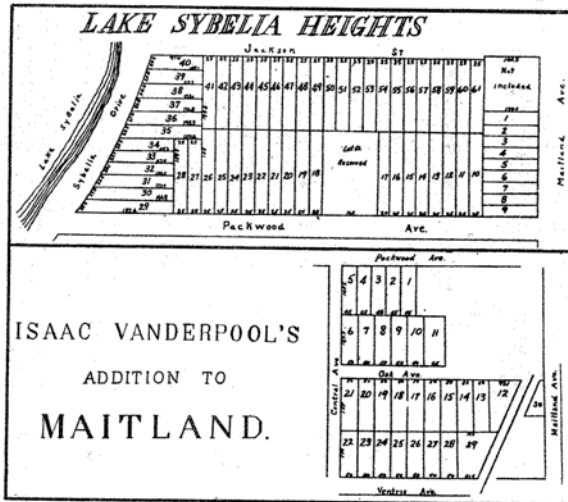


THE PROPERTY INVOLVED has been appraised by Atkins & Shearouse, Realtors, at \$225,000. The tangible assets transferred to the Central Florida Museum included a sum of money as well as the following real estate:

(a) Lots 18 through 45, inclusive, of Lake Sybelia Heights as per plat shown (recorded in Plat Book J, page 22, Orange County Records) and south 20 feet of Lots 46 and 47, of Lake Sybelia Heights.

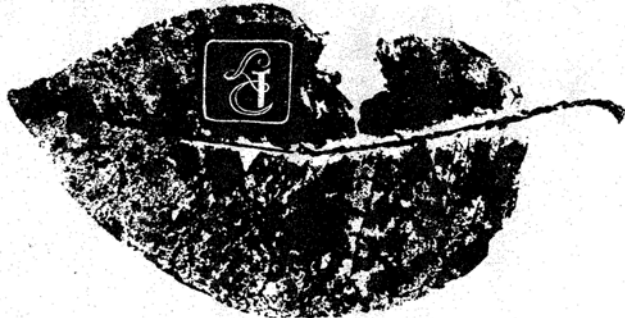
(b) Lots 1, 2, 3, 4, 5, 8, 9, 10 and 11 of Isaac Vanderpool's Addition to Maitland, Florida, according to plats recorded in Orange County records, Plat Book B, page 70.

THE POTENTIAL of this internationally known landmark and expansion of existing facilities are limited only by the creative imagination of the university system that would agree to maintain and operate the Maitland Art Research Center. Note artist's concept of suggested auditorium in keeping with the architecture of existing facilities.



\* A NEW GROUP DEDICATED TO THE PERPETUATION OF THE MAITLAND ART RESEARCH CENTER

**\* FRIENDS OF THE MAITLAND ART RESEARCH CENTER \***



**PLAN OF ACTION**

- Get deeds back from the Central Florida Museum
- Get University System to maintain and operate facilities

**HOW YOU CAN HELP**

There has been no positive action accomplished from November 1964 to the present to save the Center. You can help in this new drive by doing the following:

1. Get two "FRIENDS".
2. Write letters expressing interest to:
  - (a) Attorney General Faircloth
  - (b) Senator Beth Johnson
  - (c) The Orlando - Winter Park newspapers.
3. Call the Mayor's office to volunteer your services.
4. Contribute funds to finance operation of this new drive.
5. Attend public meetings.

**FRIENDS**  
P. O. Box 194  
Maitland, Florida

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