

Conversation/Interview. Barry Weiner, Carl Israel and Frank D. Foster, Sr.

FILE: Frank D. Foster - Batman Drawings.

BYW: Frank, as I just mentioned to you, what we'd like to do during the course of this conference is to elicit from you, in as detailed a manner as possible, and in a chronological fashion, what involvement, if you will, you had with the creation of the comic character known today as Batman, with a view to -- based upon those facts -- giving you an opinion as to whether or not there is any cause of action which you retain or have this day viz-a-viz Lew Schwartz, the so-called ghoster artist for Batman creator Bob Kane, or any other publications or television stations, or radio stations that have broadcast, televised Batman. Now, would you please first tell us where you live and how old you are.

FDF: Well, I live in Harwich, Massachusetts.

BYW: What's the address?

FDF: 800 ~~SEVEN~~ Orleans Road, Harwich Cnter, Massachusetts. I'm 65.

And this all came about when I was going to school at the Designer's Art School in the 20's.

CBI: Where was that?

FDF: On Boylston Street in Boston. I don't know whether it's in existence now or not. I haven't any contact for years and years.

And at that school I became very friendly with Al Capp, we went to school together and were quite close. I was studying fine arts -- I was only interested in fine arts, and Al has always been interested in comics, and he asked me at one point during our school days if I would be the artist for a strip if he sold it. And I had no interest in it. But he talked me into a partial interest.

BYW: What was the name of the ~~XXXX~~ strip, if you can recall?

FDF: There were no names to any of the strips. He was making samples of all kinds of -- and he had at that time hundreds and hundreds of

FDF: little drawings of his own that he had made, hoping to sell one one them -- which he eventually, of course, did. Very successfully.

~~XXXXXXXXXXXXXXXXXXXX~~

BYW: You're talking now, of course, of L'il --

FDF: L'il Abner. Yes.

BYW: L'il Abner.

FDF: But -- I thought at time, he got me interested enough to make some ideas up. And it seems to me that in those days, and even now, that most ~~of~~ all of the strips were heroes of the day -- such as, flying through the sky during the day and doing good deeds and so forth and so on -- and I thought, well why couldn't that be done at night? Have a good guy do stuff at night. So, I started working, just briefly, very briefly, not too seriously, with Al Capp, and cooking up a couple of ideas. I had many others, but I kept these for nostalgia and I thought they were the two that probably would be the most applicable to selling at that time.

BYW: Now this was in the 1920's? *Late 20's -*

*Born-1909*

FDF: This is in the 20's.

BYW: All right.

FDF: So I cooked up these ideas, and then just discussed them and then sort of put them away for long, because I was studying fine art -- you know, I was studying painting and drawing and so forth and so on so I really had no definite interest in it, and so Al and I went our own ways.

BYW: Now you say you cooked this up. I take it one of the things you cooked up --

FDF: One of the things was Batman, and the other was Raven.

BYW: All right. Now, Batman is -- what you cooked up is represented by this sheet which we have in our office.

FDF: That's correct -- ~~XXXXXXXXXXXXXXXXXXXX~~

BYW: -- showing three pictures of what appears to be Batman as we know him today.

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FDF: Yes.

BYW: and the face of another individual, unmasked

FDF: Unmasked.

BYW: -- which presumably would be the Batman.

FDF: The Batman.

BYW: The Batman unmasked.

FDF: Right.

BYW: Now you say you prepared this in the 1920's.

FDF: Yes. I drew that -- I'm positive that I drew it in the 20's.

BYW: All right. Now, on the back of this I notice that it has the  
1932 Village. Is that your writing?

FDF: Well. Yes. That's mine. I moved from Boston after school. I  
moved from Boston to the Village. I became friendly with artists and  
Art directors and friends in the Village.

BYW: All right, now this Batman. What does this say -- Bat man what?

FDF: Oh -- Batman. Oh, I guess that was a night wing, or something  
like that...

BYW: Is that your writing?

FDF: Yes. That's just some sort of an alternate thought I had at the  
moment, and then I checked off Batman because I thought that was a  
better name.

BYW: All right, now when did you write Batman on the back of these  
pictures? Would it have been at the time that you created the pictures?

FDF: I would say it must have been. Because I wouldn't have to be  
reminded -- I was thinking of the name as I made the drawing. That seems  
to me would be the positive thing. I made the drawing and then, I'll  
call it Batman, turn the page over and write Batman on the back of it.

BYW: Well, so that instead of the 1920's with respect to creating this,  
Batman, you would say that it would have been 1932.

FDF: No. The reason for the 1932 on there is because --

BYW: Frank, will you try to answer me that question: would/ <sup>at</sup> the time you

BYW: made these drawings, then --

FDF: Yeah.

BYW: and you coined the phrase Batman, the name Batman -- ~~XXXX~~ was that 1932 rather than the 20's?

FDF: That was in the 20's. That was in the 20's.

BYW: But why --

FDF: Probably the late 20's.

BYW: All right, in other words the 1932 Village was not written at the same time Batman -- night wing, or whatever that is -- ~~XXXXXX~~

FDF: No.

BYW: It was written subsequently?

FDF: Yes.

BYW: How about this photo, this woman or what have you -- was that written, drawn subsequently? Can you recall?

FDF: I ~~XXXX~~ really can't recall but it must have been -- after the Batman drawings on the front, probably. I'm not sure of that.

BYW: At the 1932 Village, you say that has no relation to the coining of the phrase Batman, which is written below it, nor the photos, nor the excuse me, the drawings?

FDF: No.

BYW: Your best recollection is the 1920's is when you drew this?

FDF: That's right.

BYW: Can we be a bit more precise as to when in the 1920's?

FDF: Well, I can find out because I can -- somehow I can find out when I went to Designer's Art School and --

BYW: How many years was it that you went there?

FDF: Three.

BYW: Three years.

FDF: Yes.

BYW: All right. Do you recall how old you were when you went there?

FDF: Well, I -- I didn't graduate from high school, so I must have been

FDF: in the teens. Must have been 18 or 19 --

BYW: Would you refer to us --

CBI: Hold it ...

BYW: Frank, you will report to us within, say, a week's time if you would precisely when you went to Designer's school, and to the best of your recollection when this drawing of Batman was made. All right.

Now you're sure that the drawing was made while you were at Designer's school -- *Designers' Art School -*

FDF: Yes.

BYW: Did anyone see it? Al Capp, for instance?

FDF: ~~XXXXXXXXXX~~ I am sure that he saw it, but how he could remember that far back, I can't believe that with all the drawings and the things that he has done how he could remember that one little drawing -- I don't see how --

BYW: All right. Well, we can always ask. Did anyone else see it other than Al Capp?

FDF: I don't remember that, really.

BYW: You really don't. Is there anyone who you went to school with who ~~you are~~ you are friendly -- this Designer's school -- who you're friendly with today? Or who you know of today and is still alive and well and about living in these parts?

FDF: The only close friend that I -- the closest friend who would know is dead. Works for Al Capp. But I couldn't locate anybody now that I know of that would --

BYW: All right.

FDF: -- be that close.

BYW: You will give that some thought, as well.

FDF: Yes I will.

BYW: And if there is anyone, you will try to give us the name and address of that individual, so that we might check with him --

FDF: Yes. I will have to go back into some of the records and renew my

FDF: memory and I will undoubtedly think of some things after I concentrate a while -- sources and things. The only thing I would like to mention is what happened after I got to the Village. When you're ready.

BYW: All right, now chronologically -- 1920's you say this drawing was made. That Al Capp most probably would have seen the drawing.

FDF: I could say that he positively saw this drawing.

BYW: All right.

FDF: But I can't say that he would remember it.

BYW: All right. Now subsequent to the time that you completed your work at the school of Design in Boston, you -- which was still in the 1920s

FDF: Yes.

BYW: You then did what?

FDF: Well then <sup>we</sup> I moved to the Village.

BYW: You say we? Who else?

FDF: The wife and I.

BYW: Your wife. Well, did your wife see?

FDF: Oh she has seen that, yes.

BYW: All right, when it was prepared?

FDF: Yes.

BYW: And that was in the 1920s?

FDF: Yes.

BYW: What's your wife's name?

FDF: The actual -- humm? -- Ruth.

BYW: Your wife is still alive today?

FDF: Yes.

BYW: All right. You were married at that time?

FDF: Yes.

BYW: So that in addition to Al Capp, we have one other individual -- your wife.

FDF: Yes.

BYW: Now, you moved, you say, to the Village directly after graduation.

FDF: Well, we moved to the Village because of the depression -- so that would be 31.

BYW: You're talking about the Village in New York City?

FDF: That's right. Greenwich Village.

BYW: Now that would have been 1932, you say.

FDF: Well, 31 or 32.

BYW: Is 31 or 32. Now, did you graduate from the school in the late 20s?

FDF: Yes.

BYW: All right, so was there some hiatus period between the time you moved to the Village and the time you graduated?

FDF: Well, I ~~went~~ went to other schools in that time.

BYW: In that time. For how many years?

FDF: Oh --

BYW: What period of time?

FDF: Oh, I went to the Massachusetts -- what was then called the Massachusetts Normal Artists, now the Massachusetts School of Art -- nights for a year. Then I went one or two years to the School of the Museum of -- Boston Museum.

BYW: Now you will give us, with accuracy, the dates you attended the

FDF: I will try.

BYW: The first school, the second school, third school, and then you went to the Village -- so that we will have no gaps in the period of time.

FDF: I will try.

BYW: You do your best. You'll get that into us within a week's time.

CBI: That Boston Museum was the Museum of Fine Arts?

FDF: Yes. The School.

CBI: The school?

FDF: The school of the Boston Museum of Fine Arts. It's a separate building --

BYW: Now, did you do any cartoon work while you were at those subsequent schools?

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FDF: No.

BYW: No. ~~So~~ the only period of time that you did any of this drawing ~~at~~ was at Al Capp's suggestion -- during the school

FDF: Actually, the only reason that I did it was because of talking with him.

BYW: OK. So that we would know for sure what period of time this was ~~XXXXXXXXXXXX~~ prepared?

FDF: Yes. He -- he might, if I am inaccurate in dates of my schooling at Design, I would be glad to contact Al, or you can, and he probably has a record of when he went there. So I mean that's another source of a record of when we were together.

CBI: Have you kept up at all with Al? have you kept any contact with Al?

FDF: Well, I hav ~~e~~'t seen him for a number of years. I went -- I'm writing another story which is getting along pretty well, a children's book. And I went to him -- he lived -- I went to his apartment on Park Avenue and I cannot -- it would be hard for me to figure out the year, but I can find out when it was. I stayed with him for a couple of hours, concerning the roughs of this story that I had writ~~en~~. And we discussed it, and he was so involved by that time that he told me who I should see, ~~which I never d~~e~~d~~ because as I said before -- it was never my bag by desire. So I just kept on writing on this story, and the last time I saw Al was -- was the year John Kennedy was assassinated and I was on the plane with Al and his wife drove me to the Ritz Carleton to meet somebody to go down -- to my destination.

CBI: He would know you, in other words, if we said we were representing you.

FDF: If he doesn't I should punch him in the nose -- because we were gassed in the men's room enough telling dirty stories --

CBI: All right --

FDF: Is this on tape too?

CBI: Yes.

BYW: Do you have Al Capp's present address?

FDF: No I don't.

BYW: Does he still have a place -- that farm in Massachusetts?

FDF: The last I knew that's where his wife lived. That was his base.

Home base. But he didn't stay there very much. New York -- on Park Avenue.

BYW: Where was that? Andover? or Amesbury?

FDF: Somewhere around there.

CBI: We could find out.

BYW: Amesbury I think or thereabouts.... Yeah I'm sure we can.

FDF: I also went to school with his wife. She went to the same school.

BYW: Ok. Would Al Capp's wife have seen this?

FDF: I doubt that.

BYW: OK. He was married at the time as well?

FDF: No.

BYW: No.

FDF: She was a student with us.

BYW: Now ~~am~~ you say you went to the Village in 19 -- the early 1930s.

FDF: Yeah.

BYW: 1932 or thereabouts.

FDF: Somewhere in there.

BYW: And would you tell us what happened.

FDF: Well, we knew some people there who were in the advertising business. One of whom had some sort of an association with the Muncie publications.

BYW: How do you spell that?

FDF: M U N S E Y, I believe. Whether they're in business or not I don't know... but they were then. He suggested to me. He said why don't you take all your art work up -- including these drawings and everything else -- go see them, and see so-and-so. I couldn't possibly remember who I saw.

BYW: Do you remember who you spoke to?

FDF: No.

BYW: Initially?

FDF: No.

BYW: The man who told you to go?

FDF: Oh yes, Julie Marson. He's still alive.

BYW: Julie Marson?

FDF: Yeah, he's still alive and I got --

BYW: How do you spell his last name?

FDF: M A R S O N. M

BYW: And where does he live?

FDF: He lives ~~in~~ Upstate New York -- I can't remember the name of the town.

BYW: Could you -- would you get me that address?

FDF: I can get that.

CBI: Is it near the Berkshires? Somewhere around the Berkshire areas?

FDF: I don't know.

BYW: He'll find out the address, Carl.

CBI: Let me ask you: this fellow -- did Marson see the drawings at all?

FDF: He did, but whether he'd remember or not I have no idea. He knew all of my art work. We were -- we were pretty close friends.

BYW: Who was he?

FDF: Well, he was an art director for -- he and his wife are both art directors for some company like Bloomingdale's or some darn thing -- I don't think. I'll have to find out. I don't remember all that.

CBI: He was the one who directed you to go to Munsey?

FDF: Yes. He gave me the connection to Munsey Publications.

BYW: Now, did anyone else, other than Al Capp, your wife, and this gentleman, Mr. Marson, see these drawings of Batman?

FDF: Oh I would say --

BYW: At this point in time.

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Herma..

FDF: Several people have seen them. Al ~~KXXXXXX~~ was also an art director and we were all friends and all went to each other's houses and it was just one of those things where -- I mean, if you ask me if I saw a picture on his wall when we were all friends -- you know, it would be hard for me to say well yes I guess I remember that, or something like that.

BYW: To the best of your recollection, who else up to this point, saw Batman. You've given us three people plus another gentleman -- Mr.

Herman?

FDF: Yes.

BYW: What was his full name?

FDF: Alan Herman.

BYW: Alan Herman.

FDF: I don't even know whether he's alive or not.

BYW: Well, would you try to determine that?

FDF: Yes.

BYW: Anyone else? Up to the time you went to see --

FDF: Not that I can think of. Not that I can think of at the moment.

BYW: All right, so you went to see somebody at Mussey.

FDF: Yes.

BYW: And you don't recall who you saw?

FDF: I have no idea what his name was.

BYW: And what was said? What was done at that meeting?

FDF: Well, I submitted the drawings, among others, particularly these two, which were the Batman one and the one of the Raven.

BYW: Was the Raven ever made into a publication?

FDF: Not that I know of.

BYW: Okay.

CBI: Batman came out with Robin. Not Raven.

BYW: OK

~~BYW~~ Also masked. Right?

CBI:

FDF: Yes.



BYW: Alright, now you dont recall any of the people at Mu.

might have seen this?

FDF: No.

BYW: Muncie was in New York City?

FDF: Yes.

BYW: What else, now? What happened next? vis-a-vis these particular  
MK drawings?

FDF: Oh, I think that's pretty much, as I say, as a matter of nostalgia  
I stuck them in a portfolio and went to work at the World's Fair. When  
EMWMMXMM was that?

CBI: Thirties. Wasn't it? 38?

FDF: I horsed around and tried to buy something to eat during the  
Depression, and finally got job through my friend Marson, Hule Marson,  
painting murals at the 1st New York World's Fair. It kept me alive  
for awhile. So these stayed in the portfolio, and as I moved from  
place to place, finally back to old Cape Cod, I -- these have just been  
sitting in a portfolio.

BYW: All right, in the other portfolio with the other pictures --?

FDF: Throw out and gone, sure.

BYW: How long ago?

FDF: Oh, heavens, I don't know. Somewhere along the line -- in moving  
you eliminate things that you think you'll never care about anymore.

BYW: When was the first time you saw Batman in a comic strip?

FDF: I don't remember. I never read -- you, know, I never followed  
the comics...

CBI: When was the first time it came to your attention? Let's put it  
that way -- that there was such a character called Batman..

FDF: I think the first time it came out in a conversation would probably  
be in the late 30's or 40's, probably, when we started to say, well,  
jeez, look at that -- look at that!

BYW: Who's we?

FDF: Oh, my wife and I and probably my son and a few other people.

CBI: Your son would have been quite young at that time. It might have been your son's comic books.

FDF: Could be, yes. He would be old enough by then, sure.

CBI: How old is Frank now?

FDF: He's 40, I guess.

CBI: OK so that would be --

FDF: It might have been. Yeah. It might have been. It may have been through that that the family ~~XXXXXXXX~~ took notice of the thing, because I didn't -- I wasn't reading comic books, or --

CBI: Did you ever talk to your son about that? Did you ever say, that, -- ever show him these drawings?

FDF: You'll have to ask him. Oh he'd remember -- he remembers the drawings but whether I ever discussed it with him or not he'd remember that better than I would.

CBI: He never looked at the drawings and said, hey dad, this is your --

FDF: I think he probably did, yeah. I think he probably did.

CBI: OK.

FDF: But when I don't know.

BYW: Turn that off if you will. ....

BYW: Now, from the paper, March 9th, 1975, which -- you've provided us with. The Sunday Cape Cod Standard Times. It has an article in it by Bill Smith "Batman's ghost happy and arty life with cameras." It's about a fellow by the name of Lou Schwartz, who was ghost artist for the Batman creator, Bob Kane. The -- was this the first time -- did you read this article yourself?

FDF: No.

BYW: Or did your son pull this out of the paper?

FDF: Yes.

BYW: All right. Now, you mentioned that we don't know with particularity based on the article when Kane first ~~quote~~ created ~~end quote~~ Batman.

BYW: It does mention that sometime it appears<sup>s</sup> in 1947, that Kane presented rough sketches and a script to Lou Schwartz and another fellow by the name of Gerry Robinson... ~~Batman~~ of Batman, and the latter two drew the finished Batman. Later Kane also hired a script writer, and reduced his own role to that of an idea man. However, Kane's name has appeared wherever Batman has. Now, we don't know the publication as yet but that should not be that hard to find out. Could you find that out for us? what the publication is that Batman appears in.

FDF: I believe I could do that.

BYW: Ok, and would you also find out for us if you could, perhaps from Al Capp, if you wish, who Bob Kane works for now. If he's still alive and where he lives. But Capp is to do this quietly and hopefully with discretion.

FDF: Yes.

BYW: And also you will ~~ask~~ question Al Capp as to his memory with respect to these drawings.

FDF: Yes.

CBW: Well, let Frank -- go ahead.

FDF: Well, I tell you something else I just thought of: I spent quite a bit of time with Al's brother Jerry, who definitely saw them. Whether he'll ever remember or not I can't say, but I used to go to his office when Al was busy or something, and I had an appointment to see Al or was going to have lunch with him or something. I'd go up to Herry's office. Jerry Capp.

BYW: Where was this?

FDF: It was ==

BYW: New York?

FDF: Yes, his office was on Manhattan, but I don't know whether it was -- it was in the 40s I think somewhere in the 40s, east side.

BYW: Why would ~~have~~ he have seen them?

FDF: He was sort of an agent. I used to take, I used to take a portfolio



FDF: They had those drawings.

CBI: Ok, did any other publication company take the drawings for a while.

FDF: Not that I remember.

CBI: Not that you remember.

BYW: All right. Now, when did you first become aware of the Batman comic books?

FDF: Well, as the suggestion was made earlier -- I think it was probably brought to my mind by Frank Junior. I never read comics, so I don't know... when he was old enough to read, I guess.

BYW: How old is Frank Junior?

FDF: 40.

BYW: Forty years old? And so it could very well have been the early 1940's?

FDF: It could have been, yes. But that's a question that's almost ~~possible~~ impossible --

BYW: That's assuming that it was in publication in the early 1940s. It may very well have been created in late 1940s.

FDF: Yes. It was many times brought to my attention by kids like my son, but don't ask -- that's an impossible question to --

BYW: But certainly, it was, it was more than X two, three or four years ago. It would have been more on the order of about 20 years ago.

FDF: I have a very good idea that my nephew, who is 42, knew about this when he was a kid. He's a schoolteacher.

CBI: Knew this drawing?

FDF: Drawing == batman and this other story... You know that's -- you're ~~XXXXXXXXXXXXXXXXXXXX~~ pushing my mind back...

BYW: I think it's important for Frank Junrior to be able to relate to us through you, if you would, and your wife... when they first recall seeing these drawings that you made.

FDF: My wife definitely. We've discussed it recently, definitely remembers the Munsey incident. That she remembers.

CBI: Frank Junior can tell us, by the way. You know, Frank is right down here on Commercial Wharf. He'll be glad to come up at any time and tell us what he knows.

FDF: He's the one -- he happened to --

BYW: OK.