

Dictated.

Mayville, N.Y.
May 1st 1891.

My dear Sir:

I was very glad to hear from you anent Murvale Eastman.

I am under obligations for your noticing the incongruous measure of damages in Kishu's case. It is curiously incorrect, and must have gone under my hand I think at some time when I was either in great haste or phenomenally dull. I sometimes get so mortal tired of a manuscript and proof that I am ^{almost} ready to let any blunder pass to be rid of the sight of it. I intended, of course, to say that he was responsible not only for the original price, but also for the subsequent enhancement, which is the rule in many States; is the latter tendency, I think, and the only just measure of damages when the true owner recovers with the improvements, representing as it does the actual loss resulting from the failure of the guaranteed title.

As to the Courts, you partly misunderstand me. Of course, any professional man knows two things; first, that justice is a terribly costly commodity under any Anglo-Saxon system of judicature despite the forma ~~the~~ pauperis proceedings. Delays, appeals, new trials, costs and legal services, ^{and self-maintenance} are more than any poor man can stand if a rich man seeks to make his right onerous to him. Second, we know that the ^{individual} laborer cannot afford to contend with the employer for rights. It means lack of employment and in many cases black-listing.

These evils in my opinion are growing in extent and character. Take it in our State and a wealthy man or a rich corporation, if willing to spend money, can make it a losing business for a man to

sue them for a \$1,000, unless it is an unusually plain case. I am now of counsel in a case which has been pending since 1872, and once decided an equity cause which had been litigated for 23 years. In the county where I write a party--a poor woman who earns a livelihood by singing--has been trying sedulously to bring an action for damages for false arrest made to ^{prevent} secure her from securing a more profitable engagement, for at least six years and it is still untried. Such litigation is of course, costly to the rich, but ruinous to the poor. I suppose you have recognized it in both directions and have advised the poor man to forego his right, and the rich man to fight a just claim ^{in order} to establish a reputation as "a bad man to sue." I know I have done the former many times and presume I have the ^{done} latter more than once.

As to what you term "the remedies suggested," I did not mean them as remedies but only as practical ameliorations.

For your many kind words and thoughtful commendation, accept my thanks.

Very sincerely yours,

Cyrus Eddy Esq.
Johnstown, Pa.