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LAW OFFICES OF
MOOT, SPRAGUE, BROWNELL & MARCY.
45 ERIE COUNTY SAVINGS BANK BUILDING.

ADELBERT MOOT.
HENRY W. SPRAGUE.
GEORGE F. BROWNELL.
WILLIAM L. MARCY.

Buffalo, N.Y. November 12th, 1907.

My dear Mrs. Tourgee:-

This morning brings me a line from your daughter, enclosing your letter of Saturday to her touching the book-plates of "The Veteran and his Pipe."

I suggest that you have some friend of yours who is a dealer in books write to the W.B. Conkey Company, of Hammond, Indiana, for their price upon one hundred volumes of "The Veteran and his Pipe"; also for samples of such advertising matter as they are using therewith, and such information as they can give as to the demand therefor from old soldiers and others interested in the topics considered in the book. By thus getting your friends among the book-sellers and old soldiers in Washington, or elsewhere, to serve you, you will succeed in getting letters from the W.B. Conkey Company, I think, that will be very valuable as evidence against them, should evidence be needed. I know nothing about what they are doing, but from the high quality of the work itself, which I remember well, I should think there must still be quite a demand for it.

I assume that the publishing contract with Belford, Clark & Co. was probably not assignable. If it was assignable, it certainly could only be assigned upon condition that the assignee continue to pay the royalties called for by it. Of course the mere purchaser of the book-plates would have no right to use them, or print and sell books, without paying royalties, or without the consent of the owner of the copyright; otherwise, copyrights and contracts would be of no value.

It is better, of course, to let the Conkey Company continue their performances, without knowing that you are on their trail, until you have plenty of proof in black and white with which to bring them to time. This can be done by preventing their publishing, if the contract and your copyright give the assignee no such right, or by requiring them to pay royalties in order to continue, if they have the right to publish. The whole thing may lead to your acquiring the plates, upon terms satisfactory to you, so as to issue a new edition from your own publisher. If you can get hold of the plates of some of the more famous of the Judge's works, so as to issue a uniform edition of such works for the holidays next year, or the year after, you might be surprised to find how many of his old friends will want such an edition.

Have you read the November Atlantic, and observed with reference to the Judge's speech at the last dinner given contributors to that magazine away back in 1882?

I enclose herewith a copy of my letter to Matthews, Northrup & Co., touching a new edition of Button's Inn.

Hastily yours,

To

Mrs. Emma K. Tourgee,
#2015 Kalorama Ave.,
Washington, D. C.

Enclosure.