

Personal

My dear Doctor:
It hurt me like a blow to find you quoting the XVth. Amendment as follows:

You see you have left out the gist of the provision and you proceed to argue upon it, just as you have quoted it. It hurt me because it is an indication of the habitual looseness with which our people have reasoned on the subject in the past.

I know how true your heart is, but I fear our people have been too much accustomed to take things for granted as you did in this article. In any opinion the XVth Amendment will be found to be a broken reed production of more harm than good and this will be mainly

through the eyes of Mr Sumner who
though he knew too much to study care-
fully the language he used. I am sorry
to say it but I think the Amendment
we have been accustomed to regard
as a fortress — a Gibraltar almost —
of liberty, is only a little more than
a fog-bank at best

Sincerely yours

A. W. T. [unclear]

I decline to answer any questions touching the value of the specific works which have been published in my name since 1855 - on the amounts received by Mrs. Surgeon, ^{or any other assignee of hers,} for the privilege of publications on who are the present owners of the ^{entire privilege} same, for the following reasons:

- 1 - These ~~amounts~~ publications represent both Mrs. Surgeon's work as well as mine: Her work is not separable from mine: She copyrighted this joint work before any of it was produced, and the proceeds attach to her business as a maker of manuscripts for publication, solely.
- 2 - The value of an imperfect manuscript can not in any degree be inferred from the amount received for the privilege of publishing ^{a complete} any more than one can estimate the value of a pound of iron ore from the market price of a pound of watch-springs.
- 3 - Because ~~as~~ a manuscript, even when complete, is not property which a creditor can attach ~~and~~ ^{the creditor having an absolute right to give an order} ~~and~~ ^{the privilege of publication} ~~and~~ ^{if he receive no interest} ~~and~~ ^{for its publication.} As I have never received any money, property, or any consideration in ~~less~~ ^{less} it be self-support and support of my family, and have no right or claim and can have none in regard to them, ~~and the questions~~ all questions affecting the amounts of these receipts are irrelevant as being beyond the purview of these proceedings.
- 4 - I have no knowledge of these amounts except what I obtained as, and on account of the fact, that I am her regular legal adviser.

Dear Sir:

I had great trouble as you may have inferred from his letter to get the Judge to allow the articles to be sent at all. He is very sensitive about the effect of any thing he writes and as his health is far from good - it was only by the most earnest persuasion that I finally succeeded in getting him to let me complete the manuscript. I do not share his scruples because I know how hard he worked to labor to wear the language of the amendment made unmistakable and I think those who desired it to be left entire and unaltered in character rather than the man who exposes its useless sloppiness should be held responsible for results. He has given me the manuscript and I think will see there is no reason why we should not derive benefit from what he has so long and carefully studied. Of course, it will make a stir and probably make him many enemies.

Respectfully

W.K.

Wm. A. W. Tamm