

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 22nd, 1905.

My dear Mrs. Tourgee:-

I am very sorry indeed to learn by your postal this morning that the reason you have not reached this city is a probable continued illness referred to in your letter received Monday.

I found you did not come to the Arlington Monday night, but thought perhaps there might be some incidental delay, and, therefore, inquired again last night, to learn the same thing. I am very sorry I could not have been in Mayville at the memorial services, but a lawsuit in Rochester compelled me to be there, and made my presence in Mayville impossible.

The Raleigh clipping I handed to Col. Byrne, Chairman of the G. A. R. Committee, who were to draw a memorial, and who came to me for such information as I could give, to aid them in their work. I gave such information as I could, handed the clipping to the Colonel, and requested that he keep it safely and return it to me for you, because it was the only one you had. I think the Colonel has probably kept it all right, and as soon as I can get out of court, I will endeavor to get it for you.

As to the policy in the Mutual Life Insurance Company, I have made a thorough investigation as to the dividends, and have reached the conclusion that it is useless for us to litigate to get anything more out of the company than it has offered to pay, notwithstanding the fact that the sum is ridiculously small.

You may have read the testimony given by officers of the company as to the decrease in the dividends paid policy holders, and the reasons for such decrease. While they pretend the main reason is the

decrease in the interest rate, it has been too plain for anything that the main reasons have been enormous salaries and commissions, and extravagant expenses. For instance, President McCurdy and his son and his son-in-law have received something like four and one-half millions of dollars in twenty years, in regular salaries and commissions, outside of the additional amounts they have made out of the company, or its policy holders, in left-handed ways of most questionable legality. The truth is that the courts are ill adapted to deal with these monstrous accumulations of capital, in which hundreds of thousands of policy holders are interested, because any thorough investigation, such as is necessary to determine the exact rights of each policy holder, must necessarily exhaust any ordinary policy, like that which I hold, in the necessary expenses of the investigation. The consequence is, that policy holders like yourself and your daughter are practically compelled to rely on the fair dealing and good faith of the Insurance Company, and in this instance, unfortunately, we know that shame does not prompt the company to do anything better for you than it has offered, because if it even tried to do anything better for you, it would create a precedent that would at once be available to all other like policy holders, and the consequences, as the present officers think, would be most serious. I think the consequence would be that the policy holders would get what they were justly entitled to, instead of permitting their money to pile up in the vaults of the company, to encourage rapacious men to obtain improper amounts therefrom, upon claims hardly legal, and certainly immoral in character.

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I shall send a copy of this letter, with your permission, to Mr. Hughes, the counsel who is conducting the examination, that he may look up the account of policy No. 239865, for \$15,000, issued on the life of Albion W. Tourgee May 30, 1883, and use that as an illustration of how things have been going, if he cares to follow this subject of dividends further.

My advice to you and your daughter is that you permit me to get the money from the Company upon this policy, and that you forward me a receipt for that purpose. I will send the draft to you the instant I receive it.

Mrs. Moot is about leaving for Boston to visit a boy in Harvard for a few days, but I hope upon her return we may plan matters so that we can see you and your daughter at our home.

With kindest regards to your daughter and yourself, I am,

Sincerely your friend,

ADELBERT MOOT.

Per



To

Mrs. Albion W. Tourgee,

Mayville, N. Y.

P. S. I leave for court, without time to sign this letter in person.

A. M.