

48 Beekman Street

Ney York, Jan. 18. 1854

Lysander Spooner Esq.

Dear Sir

I was absent from the office a day or twp, & on returning, find yours of the 15th

I am sorry that my long letter of the 9th inst. Was "very trying to (your) patience" - Be assured that it was not my design to annoy you. - As I could not send you a copy of my Book, as requested by you, I certainly thought that some extracts from the more material parts of it would be acceptable to you. I therefore furnished them for you, thou I had much else "to do."

I will endeavor to avoid wearying your patience so sorely in this letter, and shall therefore forbear many remarks suggested by your Letter, including some of your misconceptions of my meaning.

One thing, however, I must notice. You intimate that I ought to have "told you frankly, as an honest man should, that I intended to use nothing of yours - or nothing of particular importance" - Now, my dear Sir, I thought I did tell you this very thing, & I rightly read my copies of the Letters I sent you, I could not ~~tell~~ have told you so more explicitly. I now tell you the same thing again. I further told you that I could easily shape my future letters in the Era - if you wished it - so as to avoid even the little use I might otherwise have made of your book, think it would please rather than displease you. - I will now add that, since I have learned your feelings on the subject, I have commenced revising the M.SS. - I have on hand*, in such a manner as I judge would best comport with your feelings without relinquishing the object in view. In saying this, I do not admit - as I do not believe - that even without such a revision, I should have trespassed on your rights. My Constitutional argument, in these Letters (ie my remarks on the Federal Constitution) are yet unwritten, and I am quite too well satisfied with the argument I made in 1844, to displace it for any other.

And I can get along, very well, without my quotation from the Colonial Charters, tho' I do not admit that there is any Copy Right of them. - If, in taking the Course, it shall turn out that I only write "appeals to ignorant men - declamation, rant, assumptions conjectures, possibilities' &c - very certainly, my dear Sir, I shall not trespass on your Copyright in so doing. Many things more I

might say but for fear of being tedious, and must beg you not to assume that I "virtually" admit all your statements because I do not contradict them, and thus needlessly prolong discussion.

I only add that I shall - of course - examine Curtiss on Copy Right" as soon as I shall be able to get a loan of a Copy. I have not yet been able to get sight of it.

Yours very truly

Wm Goodell

P.S. - Jan 19th

This morning brings yours of the 13th - postmarked on the envelope, the 18th on which I could easily remark at length, without differences or impertinency. But I should only weary your patience. And I fear it would be a production of no benefit. - You do not seem to understand me, and I find it difficult to understand you. - In all this correspondence I have avoided saying many things that might have been said, through care to avoid wounding your feelings. But my object in this it seems has not been accomplished, while, at the same time, you have made unwarrantable inferences from my silence and use those inferences against me.

You say you have never charged me with having borrowed your ideas. - In this I have followed your example, but I did not suppose that in this I debarred[?] myself (any more that you dis) from the expression on an "opinion" that there were "remarkable coincidences" between my work and yours - not from going further, if I pleased, and adding that in my "opinion" you came very near - to say the least - "infringing" ("unintentionally") on my rights. #

I suggested, likewise, that there was a large stock of ideas in the Community, on the subject, before either you or I wrote on it. - I suppose this might suggest to "a modest man" the inquiry how for his own arguments were, in reality original, or unconsciously imbiled[?] from others.

I did not, ~~mean~~ as you seem to think, ~~that I inferred~~ infer my right to use your original discoveries, because you have drawn from a Common Stock.

Nor did I suppose that my frank & f__sh[?] acknowledgment of you "originality" in some respects (chiefly in manner) would be seemingly[?] construed into an acknowledgement of your originality in all respects - nor in the particulars under debate - nor into a relinquishment of my own claims (which I distinctly made in the same

connection) to a similar originality, from ~~results~~ products of which others may have "~~unintentionally~~" borrowed.

But I must not further enlarge.