157 Broadway, New York
5th June 1852

Mr. Thomas Nelson

My Dear Sir:

When acknowledging the receipt of your Daguerreotype, I had intended to say some
thing in regard to the expense of engraving your plate, but I was then so much pressed for time
as to render it inconvenient for me to write at length.

Nothing would afford me more pleasure than
to have your likeness executed in that superior
style essential to the character of the work
at my own expense, were it possible for me to do
so without pecuniary help. But, from that same
knowledge gained by experience, I can positively
assure you, that no matter how well the publi-
cation might sell, it could not be issued by any
person who should undertake to pay the cost
of its numerous Engravings without a considera-
ble
lof of money. In justice to ourselves, therefore
we cannot avoid adhering to the rule which
I suppose you are aware is followed in most
cases by those who publish similar books and
this is, that the cost of every likeness appearing
in the work shall be paid by its original.
With but two exceptions. I have never printed
an engraving, the expense of which was not
borne by the party it represented; and we
have as you are probably aware, published in
the Law Magazine, likenesses of some of the
highest dignitaries of the country. To show that it
would not be possible for me to bear the expense
of this enterprise even were I disposed to do so, we have
only to make an estimate of the cost of the plates.
The expense of each engraving with 5000 impressions
(that being the number of copies we intend to publish)
is one hundred and ten dollars, made up of the following:

\[
\begin{align*}
\text{Cost of steel plate engraving} & \quad \$60 \\
\text{Printing 5000 impressions of} & \quad 400 \\
\text{Same at} \quad 8 \text{ a 1000} & \quad 400 \\
\text{Plate paper} & \quad 20 \\
\text{Total cost of plate with 5000 impressions} & \quad \$110
\end{align*}
\]
This is a small sum, but when multiplied by one
hundred, about the number of witnesses we have
to pay for, it amounts to $1,000, an aggregate
which it is not probable the entire profits of the
publication will cover. Hence, however anxious
we may be to extend the fame and perpetuate
the memory of distinguished American Lawyers,
by giving to the world such a work as we hope
will do honor both to themselves and to us, yet
we feel unwilling to bear an expense that,
saying nothing of our time and labor, would
leave us greatly the less ; an expense moreover,
which custom, with propriety it seems to me, has
assigned to those who are always most benefited
by such enterprises.

I would say in conclusion, if you shall
forward to me your draft for one hundred
and ten dollars, we will at once instruct our
Engineer to go on with your plate and have it
finished by an artist, who, as herein mentioned
of the best in this country, will be able to set up
The picture in such a manner as to do its original justice. In consideration of this favor, we are willing also to furnish you, for circulation among acquaintances, with 50 copies of the number containing your memoir and portrait. You will be out of pocket for the engraving only about $60.

I would add, it is my design after having printed from the plate for the Prof. Book, also to see it in one of the future numbers of the Law Magazine; and as the plate will give 40,000 impressions, the same may be of some value to you after we shall have done with it, so it will of course be subject to your order.

Should you decline responding to this request, please say whether we shall return the engraved type or have it over to our order; but I sincerely hope your compliance will afford us the pleasure of giving your likeness not only to the 25000 lawyers of this country whose names you will find enrolled in the law register we have sent to your address, but also to those
distinguished jurists across the water who so ably expounded the eternal principles of the common law on its native soil.

It must seem apparent this sum could not be appropriated by you to any other purpose that would conduce to so elegant and enduring a testimonial of honor to yourself, or give more lasting gratification to your numerous friends and relations, by furnishing them with mementos by which they may have the melancholy pleasure of bringing to remembrance its original shall long after he have been called to the grave. Hoping to hear from you at your earliest convenience,

I am very truly yours,

[Signature]

John Livingston