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Mr. David Platz

Essex Music Ltd.

AL BRACKMAN

February 11, 1969

Dear David,

Re. WE SHALL OVERCOME.

Just one more thought in regard to your letter of February 7:

When Pete provided me with the copy of the old Tindley hymn, in 1963, I then suggested that we correct the music credit, since we were now sure that this melody is completely different from the Tindley hymn.

Pete said that while it was different, Zilphia Horton never claimed to write the melody, and that she actually heard the melody as sung by a group of girls, back in the 1930's. Pete felt that what she heard sung could have been a very unique version in gospel style of the Tindley hymn.

I then suggested that Zilphia Horton may not have realized that she really created sufficient original melody lines to be substantially her own--even if by accident. Pete said he did not think she was that naive, and that she had mentioned too many times the fact that she originally heard the melody sung by this choral group.....

However, no one has been able to find any work that approximates the melody of WE SHALL OVERCOME, and am wondering if PRS would consider 100% payment until such time, when someone can show that the melody is, in fact, based on a traditional theme. After all, the composer, Zilphia Horton, herself, never specified the music credit line, because by the time we copyrighted it she had already passed away. Therefore, we have only the "hearsay" evidence of other people that it is based on a traditional theme, but no one has yet been able to show this to be true.

All best,

B:jp
Mr. Jay Mark

AL BRACKMAN