

TOPICS OF THE TIME.

The Demand of American Authors.

IN nothing is the progress of civilization more marked than in the prompt recognition by the law-making power of offenses against persons and property that have become such in the estimation of the best public opinion. Every generation stamps as crimes certain laws which were not crimes to the generation that went before. Time was when cruelty to wife, child, or animal was thought to be but a foible in man; and the punishment of such offense is even yet in some quarters thought to be an invasion of domestic and personal rights. This is true, similarly, of many acts which, as their evil effect upon the constitution of society becomes apparent, fall under the scope of the law.

Can any one, considering the consensus of opinion on the question of International Copyright, which we present in this issue of *THE CENTURY*, doubt that it is now time to put the legal brand of theft upon the appropriation of the intellectual property of foreigners by Americans, and upon that of Americans by foreigners? The taunt is made by the foes of this movement that the people are against it, that they would rather save a few pennies on cheap English and French novels and other books than right the great wrong which for years has been a blight upon our national honor and a weight about the neck of our national literature. This aspersion we believe to be unfounded; but it behooves thoughtful and influential men and women to question whether their duty in this matter has been done till they have indicated forcibly to their representatives in both Houses of Congress a moral demand for an equitable copyright law.

It will be curious to note on what grounds, in the present session of Congress, senators and members can withhold their votes from any bill that abolishes the discrimination against foreign authors. Not only justice, but every consideration of policy will support a vote for such a bill:

1. It is demanded by an overwhelming proportion of the best sentiment in the press, by the body of American authors, leading divines, educators, and men of other professions, and by the enlightened opinion of the world. It has had the championship of Webster, Clay, Everett, Sumner, and others of our statesmen, and of all the prominent authors of America during the last fifty years; and has been recommended by successive Presidents.

2. It would open for American literary goods a ready-made foreign market, which lacks only the security of such a bill to become ours, and which would increase with great rapidity.

3. It would cheapen the best solid literature, by enabling authors and publishers to feel secure in the proceeds of their labor; the literature already cheap would still remain so, since no bill could be made retroactive. Thus:

4. It would not even be a hardship to those who are

now "pirating" foreign books. These they would still lawfully continue to print, every year adding new publications to the list of those whose copyrights have expired by the limitation of forty-two years. Into competition with this body of literature would come all new publications, thus insuring that in general books would not be dear.

5. It would in our opinion do more than any other single measure to restore the confidence of the educated classes in Congress. Burke, in his speeches on the American war, warned his government against alienating the sympathy of the colonies by permitting them to have reasonable grounds for doubting the justice of the governing power. Is this folly any the less when the aggrieved are the most influential power in the formation of public opinion? And is it any wonder that the American writer—whose literary work is the only American product to which is refused the protection of the American flag abroad—should fall short of an ideal confidence in American institutions?

6. It would establish a bulwark against communism, a danger that has yet to be encountered in America. Those who oppose International Copyright do so on the ground that though it take the property of others it does so for the general good—by making books cheap. We deny the conclusion; but can American legislators afford to reason thus?

7. It would carry out the evident intent of the Constitution, by which Congress is empowered "*to promote the progress of science and useful arts,*" by means of patents and copyrights. Will legislators be less zealous in carrying out the positive designs of that instrument than in guarding against its invasion or perversion?

To the great body of American authors, it may be said with confidence, "This matter is wholly in your hands. Your committee has done much in the agitation of the subject and in the organization of your forces. Congress must certainly yield, if not now, then with the growth of a better political sentiment and a more active public spirit. You must leave no word unsaid to awaken the conscience of your legislators. If you shall not be successful at the present session of Congress, you will only have to buckle on the armor more firmly. Generations of injustice and neglect at the hands of those who should be the guardians of the national honor must not be allowed to discourage the literary craft in the effort now being made to right gigantic wrong; and whether successful or not your efforts will be, to those that come after you, an inheritance and tradition of honor so long as books are written and read.

"Say not, the struggle naught availeth,
The labor and the wounds are vain,
The enemy faints not, nor faileth,
And as things have been they remain.

"If hopes were dupes, fears may be liars;
It may be, in yon smoke concealed,
Your comrades chase e'en now the fliers,
And, but for you, possess the field."

post-offices. If deposits are few, but little additional clerical work would be required. If they are numerous the fees would pay for the new work, and in any case the system would be self-sustaining.

It has been feared by some that such a system of national savings-banks would seriously reduce the business of the savings-banks already established, which pay interest on deposits; but is it not quite as likely to increase it? Our people think so much of interest that many of them would be likely, whenever their deposits become considerable, to withdraw them from the non-interest-paying government banks and put them into private banks which would pay interest.

When government bonds are no longer available as securities, some modifications in existing systems of banking will be necessary; and such a system of savings-banks as is here described would, it is thought, be adapted to the new order of things.

The government should do nothing for its citizens which they can as well do for themselves; but the establishment of non-interest-paying savings-banks, with absolute security of deposits, can be accomplished only by the national government, and it is urged with great force that the system would tend to habits of economy, and to improved conditions of life, for large numbers of people.

OPEN LETTERS.

International Copyright.

PLAIN SPEECH FROM AMERICAN AUTHORS.

In vain we call old notions judges
 And bend our conscience to our dealing;
 The Ten Commandments will not budge,
 And stealing will continue stealing.

J. M. Locke.

20th Nov: 1885.

THE demand for International Copyright is based, primarily, on principles of simple justice. The right of an author to the product of his brain, like the right of the mechanic to the product of his hands, does not depend upon national or geographical conditions. I would not myself make it depend upon international treaty, or the legislation of other countries. Whatever privilege our present copyright law gives to citizens should be given to persons. America is too rich to be a pauper, and ought to be too honorable to be a robber, and should be willing to pay to authors who contribute to its enlightenment or its enjoyment a fair remuneration for their work.

But this consideration of justice is enforced by a consideration of self-interest. We protect by our legislation every form of industry except that of the brain; the industry of the brain we subject to an unequal competition. The American author, in order to

secure the publication of his book, must not only write a good one, but he must write one so much better than any that a foreign author can write, that the publisher can better afford to pay him for the privilege of publishing it than to publish his competitor's book for nothing. This system is dwarfing American literature, and would have done much to destroy it, if it had not been nurtured and kept alive by our popular periodicals. A vote for justice does not require much explanation; and I think this simple statement is all the explanation which this vote, for what I should prefer to call Universal Copyright, requires.

Lyman Abbott.

I AM heartily in favor of any effort that promises to be successful in securing International Copyright. Our present methods are disheartening to all authorship in America, and, consequently, we can never have

an adequate national literature as long as foreign works are reprinted and sold in this country for next to nothing. If we had been allowed to pirate the works of foreign inventors, we never should have had the abundant machinery that now does so much for our civilization. I see no good reason why the writer of a book should not have the same protection as the inventor of a machine. It is, in my judgment, discreditable to us as a nation that we are willing to appropriate the works of others simply because we are a nation of readers rather than a nation of writers. Books are for the mind what machines are for the body, and the protection of writers cannot be regarded as of less importance than the protection of inventors, except on the preposterous assumption that our spiritual and moral natures are of less importance than our temporal affairs.

C. K. Adams.

President of Cornell University.

IF women are allowed a vote in the matter, I decidedly cast mine for International Copyright.

L. M. Alcott.

THE fact that no Copyright Treaty exists between the United States and England is so shameful that I don't care to discuss it.

T. B. Aldrich.

THE right of property in the productions of the intellect is everywhere recognized throughout the civilized world; but it is held under common law to be defensible only so long as the producer keeps his production to himself, so that it is lost by the act of publication. It only becomes of value to its possessor, therefore, by virtue of statute law. Being a natural right, it would seem that its protection should be perpetual, as it formerly was in Holland, Belgium, Denmark, and Sweden; but it is nowhere now secured except for a limited period, and in this country under the Constitution it cannot be. The statute law of one country, however, cannot secure the rights of the citizens of that country in any other; hence the desirability and the justice of an international law to protect copyright everywhere. From the futility of the efforts thus far put forth to attain this object by treaty between English-speaking peoples, it might almost seem as if we had here a survival of the spirit of the earlier centuries, in which the normal condition of neighboring tribes was a state of war. Under the Roman republic a foreigner was called *hostis*, and the same word signified equally an enemy. "*Hostis enim*," says Cicero, "*apud majores nostros is dicebatur quem nunc peregrinum dicimus*." Between Great Britain and the United States there has been a war in the literary field of a century's standing, signalized by incessant acts of privateering on both sides. The spectacle is discreditable in the eyes of the world. It is time it came to an end. "Let us have peace."

F. A. P. Barnard.

President of Columbia College.

THE abstract justice of granting International Copyright to authors has seldom been questioned, even by those literary plunderers who affect to be opposed to

it as a matter of policy; for that must be an affectation which utters sentiments in opposition to the public conscience. I have known but one author, and he was an ex-publisher, who upheld the broad principle that no man is entitled to the protection of his ideas,—an assertion which, in the case of that author, I was always willing to concede.

Among men of letters there can hardly be two opinions as to the justice or the good policy of the cause of International Copyright. I wish the complete success of the effort to educate our people to that point of interest in one of the greatest hardships of authors as may, in the end, impel them to enforce legislation from the governments of the United States and of Great Britain as will enable the authors of both countries to obtain at least the whole of the small remuneration which is due them for their hard and ill-paid work.

George H. Boker.

I FIND it difficult to speak dispassionately on the subject of "International Copyright," because my experience has made me feel the injustice of the present state of things most keenly. A man who constructs an improved button-hook or darning-needle may patent his invention in nearly every country of the civilized world, while the man who embodies the best results of his thought and culture in a book is exposed to depredations from any one (outside of his own country) who chooses to steal from him. In the space you have allotted me there is no opportunity for arguing the question. All I can do is to give an expression of sentiment in favor of International Copyright, and this I do with all possible emphasis; first, because the present system of mutual stealing is ethically wrong, and will in the end benefit nobody; and secondly, because I have myself suffered in many ways from the liberties taken with my writings in foreign countries.

Hjalmar H. Boyesen.

I HAVE the strongest conviction of the need and justice of speedy and effective legislation on the subject.

Phillips Brooks.

A RIGHT to the control and the protection of the product of one's brain, it seems to me, cannot be questioned from any point of view in an age which recognizes in so many other ways the liberty of the individual.

For any country to say that its subjects may use, without a proper compensation based on a mutual agreement as to its value, the results of the intellectual activity of those of another, is but a remnant of those barbaric times when physical strength was the sole basis of right, and government only an organized power of oppression.

Frances Hodgson Burnett.

TO ME this question of granting American copyright to foreigners is simply, Shall we buy their product or steal it? To a large nation the interests involved may seem small; but is any kind of stealing a small matter? Why do we dwarf this question by making

it a matter of protection to the American author? That point is a mere accident of the situation.

True, it would be a material protection to him. It would not force the foreign author into the high-price-book market, for full copyright would add only one cent to every ten cents of gross price; but it would make way for the American author to compete in the market of cheap editions, from which a paltry margin of one cent on ten practically shuts him out. But why should we lay stress upon this point? Suppose International Copyright did not protect the American author; what of that? Shall we continue in injustice and dishonesty?

Fancy the case turned around. Fancy this American nation of ours rising to its proper stature, putting forth its hand in legislation and saying to its pilferers of foreign books, "Steal no more; we will pay, through you, with every ten cents of book-price one cent more for decency, good manners, and common honesty." Then fancy this little bunch of men and women that we call "the American author" objecting—if such a thing could be—that somehow this left us unprotected. It seems to me an honest nation would blow us forever out of sight and hearing with one puff of laughter.

So, then, what have American authors to do with this question *more* than the vast army of American readers? Indeed, the American author is almost or quite the only American who might, if he chose, plausibly remain silent. He could say, "The protection of the foreign author carries with it my protection. I recuse myself." But you—American reader, book-buyer, citizen—with you it is simply the question whether, all things considered,—private self-regard, public decency, national honor, Christian morals, modern good manners,—whether it is better to read ten books honestly bought, or eleven dishonestly got. It is the American citizen's question, be he author or what not, and the shame of American citizens, authors and all, until it is settled right.

G. W. Cable.

If the interest of all publishers and authors concerned were clearly seen to be coincident, probably long since an International Copyright would have existed. Between two countries of equal size, productiveness, and culture, and employing the same language, an identity of interests for publishers and authors would probably be seen to exist. But as between England and America, it is undoubtedly true that several English novels are read in America where one American novel is read in England, and a similar disproportion probably holds in regard to works of poetry, history, and general discussion. It follows that bookmaking and bookselling are temporarily promoted in this country by a freedom from restriction; in other words, by opportunities for piracy. That there are many publishers who despise such piracy and uniformly share with foreign authors the profits on their publications, does not remove the presumption that publishers and papermakers have been influential opponents of an equitable arrangement. That productivity in literature and scholarship in all countries would be promoted by an International Copyright is demonstrable. These are the primary interests, and if a copyright would quicken the true sources of intellectual growth and progress,

not merely honesty and the recognition of an immense debt due from this country to England, but a true regard for self-interest, demands it; and that the interests of the publishers in both countries will be found in the long run to be identical with the honorable promotion of the best literature and the encouragement of the highest scholarship does not admit of question. It is one of those cases, so numerous in the history of this country, where honesty and self-denial on the part of one generation would issue in immense gains for those coming later.

Franklin Carter.

President of Williams College.

I MEANT sooner to have answered your note by reaffirming my conviction that nothing can be more just or more agreeable to the instinct of every honorable man who speaks the English language, than that the books of all who write in that language shall be treated equally by the law. Even when copyright is regarded merely as a grant of the state for its own advantage, it is expedient that all contributions to the literature of the language shall be recognized as having the same right to protection. Cheap books are good things, but cheapening the public conscience is a very bad thing; and if Congress clearly understands that American authors ask nothing which the public conscience does not approve, Congress will not refuse to recognize the expediency of an International Copyright.

George William Curtis.

I AM afraid that all the arguments of authors and publishers in support of International Copyright are as hackneyed to the public ear as the eighth commandment, of which they necessarily are only variations.

But is there not an advantage to the public itself in such a law, which it overlooks?

It would serve to keep the lower mass of worthless literature in each country at home where it originates. If the experiment of publishing a foreign book cost more here, we should be spared much that is puerile and poisonous. Unfortunately, we cannot now keep out these printed paupers and criminals, nor send them back, as we do their human kinsfolk.

In every way, therefore, this, our late effort at honesty, would help our morals.

Rebecca Harding Davis.

I HAVE given very little thought to the subject of an International Copyright and can offer nothing especially important as to the form and feature such a law should embody; but I can very readily assent to the justice of the principle upon which such a law is desired and demanded. Whatever by mind or by muscle, by thought or by labor, a man may have produced, whether it shall be useful or ornamental, instructive or amusing, whether book, plow, or picture, the said producer has in it a right of property superior to that of any other person at home or abroad. If any arrangement can be devised which will secure this superior and fundamental right to authors, without imposing unreasonable restrictions upon the spread of knowledge, and without operating unequally and unfairly towards the authors and artists of the respective countries concerned, I am for such an International Copyright.

Fred'k Douglass.

IN the present stage of civilization, a great republic — unless it is willing to be a moral anomaly — must allow and secure International Copyright. It is high time that on this question our law-makers should cease to interpret "the rights of man" as meaning only the rights of Americans.

Mary Mapes Dodge.

IN regard to International Copyright the following propositions are indisputable:

1. In a civilized community the same judicial vindication of rights of property should be accorded by law to a foreigner as to a citizen.

2. It is now the law in this country that the legal rights of a domestic and a foreign author in an *unpublished* literary work are precisely the same. Courts of justice will not permit either to be robbed of his literary property by a piratical wrong-doer.

3. But when a foreign author publishes his work, a mischievous and shameless fiction is recognized, to the effect that he has *dedicated* or *abandoned* it to the American public, even though his strong protestations and expressed willingness to comply with the rules to which our own authors are subjected in matters of copyright prove directly the contrary.

4. By this theory we really violate a right of property vested in the foreign author while professing, judicially, to maintain it; for of what value, in general, is a literary work to its author unless he can print and multiply copies and have an exclusive right of sale?

5. It was time long ago to abandon this unjust distinction, and to ground our copyright laws on broad principles of natural justice. What is dedication or abandonment for the citizen should be dedication or abandonment for the foreigner, — no more, no less.

Theodore W. Dwight.

[IN the absence of Dr. Eggleston (in Europe) we reprint here a few words from his essay on "The Blessings of Piracy," which appeared in THE CENTURY for April, 1882.—EDITOR.]

It is a disgrace which the law-makers of America will have to bear, that men of letters in this late age should have to persuade reluctant legislators to give, through an intricate diplomacy, a partial protection from pillage to the productions of brain-labor, that ought to stand on the common footing of all property. The nineteenth century is drawing toward its close while yet Jews in Russia and writers in America are alike excluded from the equality before the law accorded to other classes.

Edward Eggleston.

I AM in hearty sympathy with the efforts making to secure International Copyright.

D. C. Gilman.

President Johns Hopkins University.

IT is curious that a man's brain should be considered a lumber-room which anybody is at liberty to plunder; and yet this brain, put into concrete shape, cast into an "invention," is guarded as the most sacred and inviolable of human possessions! A man sits down and "invents" a surgical saw which may be at once patented as an inestimable boon to the human race, while his *confrère* writes a book swarming with the germs and suggestions of a dozen such "inven-

tions," and — anybody may steal the book, germs, suggestions, and all! Right on this side of a parallel of latitude, wrong on that side, quoth Pascal. Honesty on this side of the Atlantic is theft on the other, it seems.

James A. Harrison.

WASHINGTON AND LEE UNIVERSITY, Lexington, Virginia.

I HAVE no hesitation in saying that I hold the opinion, in common as I suppose with most of the authors on both sides the Atlantic, that, whatever may have been true of the past, it is now for the interests of both authors and their readers that some scheme of International Copyright should be speedily agreed upon and put into operation.

Noah Porter.

President of Yale College.

HE who said "Let me make a nation's songs, and I care not who makes its laws," might have added, "Let Congress make Copyright Laws, and I care not who denounces their immorality." Interest, not justice, controls this matter. Artists, sculptors, and architects are secure from theft only because he who would rob them must first possess genius and patience equal to their own. The author is robbed because his sole vehicle is language, and any fool can run a felonious printing-press. Although this facility of language enables authors to reach a larger audience than is accessible to other men of ideas, that same fatal facility exposes them to be defrauded of the fruits of their labor. The means whereby they benefit mankind is the means whereby mankind starves them. Therefore let authors learn to fatten on fame, — or write only what is worth nobody's while to steal.

Julian Hawthorne.

I AM a firm advocate of International Copyright laws. The injury done to the progress of American literature by their absence seems to me often overstated; but the harm done to authors by the garbling and mutilation of their books under the present system is a very serious thing. I have suffered from it myself, and have seen others suffer; and it is a loss not to be measured by money. It is this consideration, and not the merely financial aspect of the matter, which has most weight in my own mind.

Thos. Wentworth Higginson.

CAN literary property be protected against theft and piracy? If so, it needs no argument to show that it should be; and if it be not done, the law-making power is in fault. Only by an impossibility can the law-making power be absolved from its obligation.

Mark Hopkins.

WILLIAMS COLLEGE, Williamstown, Mass.

YOU invite from me some expression in regard to International Copyright. I am in favor of any and every device for securing to the foreign author that property in his writings which our country nobly bestows on native authors for forty-two years before suffering them to become public pillage.

W. D. Howells.

OF all existing brutalities, of all legislative cruelties, of all cruelties inflicted by a civilized people upon a particular class, of all contemptible thefts known to mankind the meanest, the lowest, the pettiest, the most debased and despicable, is the brutality, the cruelty, the theft, practiced against authors by the United States of America. The United States of America professes to be a republic devoted to the freedom of men and to fair play for all citizens and aliens. The Government of the United States of America is untrue to this profession: it commits itself to a pitiable falsehood, and will remain so committed just as long as it refuses copyright to foreign authors whose books are published in this country.

George Parsons Lathrop.

I AM familiar with all the arguments which have been advanced in favor of refusing a copyright to foreign authors, and it seems to me that when they are not disgraceful in dishonesty, they are simply silly in their sophistry. We are struck by the infamous meanness of the *droit d'aubaine* by which a century ago all the personal effects of strangers dying in France were taken by the king. We, more ingenious, rob the author of his property on a far greater scale at a distance, without waiting for his death. There are few great nations which have not one crying infamy to disgrace them. England has the opium trade; we have had two. The first, slavery, we have abolished; the meaner and pettier outrage against the rights of a class we still retain. For all these wrongs there is retribution; and if inordinate national vanity did not blind us to the fact, we might see that our Nemesis is already overtaking us. It is not long since an American publisher wrote to me that there is a rapidly growing dislike in "the trade" to publish "literary" works by American authors, or anything, in fact, in which a large and certain sale could not be secured at little outlay. It is not the best intellectual training for a people to be confined to educational and technological books, or even magazines and newspapers, eked out by foreign pilferings. All of this, even if disseminated by millions at a cent a volume, will not make sound thinkers or cultivated minds. The average American believes, of course, that we "whip all creation" in poetry, philosophy, fiction, and art; but it is not true. Our position as respects these branches is creditable; in fact, it is remarkable considering the circumstances; but it is very far from being commensurate to our advance in what are foolishly called "practical" matters. And this backwardness is chiefly due to the absence of an International Copyright law. It was said of old that when the serpent devoured the brood of another, her own young died within her, and we are carrying out the simile in full.

Charles G. Leland.

THE position of the United States in regard to International Copyright is something that brings to every high-minded American a sense of shame. From the beginning of our national existence we have presented the spectacle of a great and wealthy people systematically plundering a never well-paid body of men, while at the same time it professes to hold them in special honor. No devices can cover up the fact, no

apologies can explain away the disgrace of it. Of the flimsy pretexts constantly urged for the perpetuation of this injustice, the most unintelligent is that which insists that while this spoliation may lower the general standard of morality, it raises the general standard of intelligence. One of the greatest literatures in the world is ours, abounding in works that inform and elevate. They are uncopyrighted and within the means of the poorest. If these will not diffuse intelligence, we may be sure it will never be done by flooding the land with books which are sold cheap because they are stolen, which are bought and read to the exclusion of better books merely because they are cheap, and which are then thrown away because they are not worth reading twice.

T. R. Lounsbury.

OUR copyright legislation should be reformed for the sake of (A) the American author and (B) the American reader.

(A). The present absence of International Copyright unfairly forces on the American author a competition with stolen goods. The lot of the foreign author, whose works are pirated here, is hard enough; but he has at least his home market. Far harder is the lot of the American author, who is robbed abroad and who is forced to sell his wares at home in cut-throat competition with the pirated works of the foreigner.

(B). Under the present state of the law the American reader is not able to get the best—although to get the best is the aim of most Americans. He does not get the best from American authors because some, becoming discouraged, have quit work, and because some are tempted to sacrifice quality to quantity; and both of these causes are due to the competition with stolen goods. He does not get the best from the foreigner because most foreign books, when now republished here, are ill-made pamphlets, shabby in paper, press-work, and type, and to be described only by the convenient Britishism "cheap and nasty."

Brander Matthews.

THE question of International Copyright seems to me rather one of national morals than of the interest of authors or of publishers. It is whether the highest results of labor, of education, and of intellect shall be stolen with immunity, or not.

Charles Eliot Norton.

IF foreign work is to be the cheapest here, and if that is to become the universal principle, what is to be the result? Is it not perfectly plain that as the literature of the age begins to show its effects upon those who read it, and as every one will naturally buy and read what he can get the cheapest throughout the civilized world, every one will read the works of foreign authors, and at last, as the reader partakes of this foreign literature and becomes more and more impregnated with it, will he not become at last a foreigner himself? That is the great question underlying International Copyright. It is a question whether we shall or shall not become not only a nation of foreigners, but a universe of foreigners. The only safe way, in order to remain a native, will be to refrain from learn-

ing to read. Of course there will be advantages connected with being foreigners here in America. We should have more political influence for one thing, and there would be other minor advantages, but not sufficient to counterbalance the disadvantages.

Bill Nye.

IN my judgment the demand for International Copyright is just and reasonable, and the time is ripe for the legislation needed to secure it.

Frederick Law Olmsted.

FOR the sake of American writers and American readers the cheap pirated editions of foreign books should be stopped. No element is stronger than literature (*i. e.*, the novel and the drama) in the forming and cementing of a native social life. It is probable that ninety per cent. of the stories and plays offered the American people to-day are European in study or suggestion. Young people here are learning to make ideals of men and women and ways far removed from their own country. This has already gone so far that many American writers are induced to depict a bastard aristocracy here; and this in turn is becoming the ideal social order of a large class of American readers.

This is not more lamentable than the wretched condition in which our professional *littérateurs* are left through the cheap reprints and translations of European books. While all kinds of trade and material interests are protected, the literary man, the most defenseless and surely one of the most precious possessions of the country, is literally robbed and disregarded.

John Boyle O'Reilly.

THE late Mr. Frelinghuysen spoke the truth when he told you that there was no strong popular demand for International Copyright, which you urged upon his attention. Such a measure would directly and obviously benefit only a small number of our fellow-citizens, a few artists, dramatists, composers of music, poets, novelists, essayists, philosophers, and some other authors, the men and women who originate beautiful and noble things. Shall I say of this small number that they are the flower of the human race? Without insisting upon that, I may assert with confidence that they assist more than any other class to make life worth living. Over the door of a noted man of action of our time was written the sentiment from an ancient author: "Life without letters, death." The men and women who create literature and art are a priceless possession and a universal good, for they benefit and enliven, indirectly, myriads who never know their names. They confer upon a country the only part of its glory which survives its ruin.

These illustrious persons produce a kind of property (and many of them live by producing it) which becomes available only by its being exposed to robbery. If that property is locked up in an iron safe, it might as well not exist. Poetry must be published; a comedy must be played; music must be performed; a picture must be exhibited; and being thus exposed to view, they can be copied and reproduced in cheaper forms, so as to deprive the author of his just compensation. Hence the need of legal protection of a special character,

such as copyright and International Copyright. The United States alone among the nations of Christendom refuses to protect the rights of its authors in other lands, and the rights of foreign authors who confer upon us incalculable good. Till we remedy this defect we are self-excluded from the honors of advanced civilization; we consent to remain provincial. We may adore prestige even to meanness, but we cannot confer it.

James Parton.

YOU ask for my opinion on the subject of International Copyright. It seems to me there can be but two opinions on such a matter, and that they cannot be unlike those of the burglar and of the burglars.

I cannot suppose my experience to be very different from that of other writers (one's own experience is apt to be like other people's in most things), and mine has been that England is the only country across seas in which my right to my own books has been even nominally recognized. Several well-known English publishing firms have treated me honorably in the matter of royalty or bonus. One of them complained that after so doing the story in question was pirated into two British magazines,—one of them, I think, in Scotland,—and run as a serial, to the injury of the sales of the book.

From France, from Holland, from Italy, from Germany, where my books have been translated for fifteen years, I have never received one dollar. Let me say to the credit of one German publisher who negotiated on a business basis with the author, that his righteous effort was defeated by the competition of a less conscientious fellow-countryman before we could sign our contract. In many cases I do not even receive a copy of the volume of whose translated existence I am told. The last that I did receive I wished I hadn't, for it came under a title that I would not have owned for all the copyright of the country.

Elizabeth Stuart Phelps.

THE question of International Copyright is one which, by its being raised at all, marks an encouraging progress in that better civilization which consists in higher standards of equity, and more explicit legislation for their maintenance. The conception of property is at first a very coarse one, and it has not been honorable to our history as a people that there has been such wide indifference to the right of property in the productions of a man's brain. True, we had, as a people, not much of this sort of property in the beginning to protect; and there is a wholesome element of retribution in the fact that our own free-handed appropriation of other men's literary labors has returned to plague us, now that we have ourselves so much more of such property to be protected. But the selfish aspect of the question is the lowest, and it is one that I do not care to urge. It ought to appeal to every chivalric sentiment in those who are not men of letters, that there is a large, and certainly most valuable class of their fellow-citizens who are inadequately protected in their plain rights by the law as it at present exists, and whose title to the fruit of their own literary labors they themselves are by training and position poorly fitted to maintain. Their very defenselessness, their ignorance of business methods, their sensitive reluctance to appear grasping or calcu-

lating, are considerations which, I think, will appeal to all right-minded people as a claim upon their coöperation in an effort which, it cannot be denied, is based upon essential principles of justice and righteousness.

Henry C. Potter.

Assistant Bishop of New York.

THE unblushing robbery of authors among civilized nations is one of the most amazing relics of barbarism. The fact that such robbery is complicated with other interests does not affect its moral aspect in the least. This would be true of any long-continued and systematic phase of theft. The present laws practically subject American authors to a double wrong. Our books are stolen immediately on publication and sold in other lands without any regard to our interests or wishes. We suffer even greater loss in having to compete with foreign literature that is unpaid for. Suppose the farming class, when offering wheat, were told: We can buy all we wish at twenty cents a bushel. What wheat could be bought at such a price? Wheat stolen from Canada.

If such a state of affairs were possible, it would illustrate precisely the position in which existing laws place the literary class and interests.

E. P. Roe.

IN reply to your circular letter permit me to copy, from a book just published, one of my various references to the wrongs inflicted upon our native authors through the want of International Copyright:

All classes of literary workmen, however, still endure the disadvantage of a market drugged with stolen goods. Shameless as is our legal plundering of foreign authors, our blood is most stirred by the consequent injury to home literature, by the wrongs, the poverty, the discouragement, to which the foes of International Copyright subject our own writers. The nerve and vitality of the latter can have no stronger demonstration than by the progress which they make while loaded with an almost insufferable burden.

Edmund C. Stedman.

If the people in this country who are opposed to an International Copyright law because they think it would deprive them of cheap reading matter, would agree that all of them who make anything, sell anything, or do anything for pay, would make, sell, and do for the authors of their country at about one-fifth the prices they charge other people, then might American authors feel satisfied that although literature was very cheap, still, so far as they were concerned, wheat, beef, shoes, rents, and professional services were also very cheap, and thus might consider themselves on a par with the other workers of the country, and able to afford to wait until sentiments of simple justice brought about a law which would make the work of every writer, native or foreign, his own property.

Frank R. Stockton.

[A FRIEND of Mrs. Harriet Beecher Stowe writes: "All her friends know that in the matter of International Copyright she feels just as do Mr. Whittier and

all other honest-minded people; but I cannot speak to her on the subject at this time, for Professor Stowe's health is so bad that he needs constant watching, and the writing of even so much as a line would be a tax which I would not willingly help to add to her labors."—EDITOR CENTURY.]

THE stimulus and encouragement that International Copyright would give to American authors could not fail to be productive of good. What we as a people read is perhaps the largest element of our national education, and the influence of foreign literature, whose spirit is opposed to our institutions, should be counteracted by a home literature urged to its best development. All the terms being equal, Americans will read American books, and of these the most popular will be the ones reflecting American manners, customs, opinions, and character, and tempered with a wise patriotism. In fact, if literature is worth having, the best is the most worth having; but in order to get the best fruits of the best minds, literary labor must be productive of property; that is, its results must belong to the producer. Moreover, honesty as well as policy demands that the author have the fullest proprietary control of his creations.

Maurice Thompson.

I STRONGLY believe in International Copyright as a matter—

1. Of justice, gratitude, and courtesy to foreign authors;

2. Of justice, gratitude, and courtesy to American authors;

3. Of proper and needful stimulus to the cultivation and practice of literature in this country;

4. Of proper and needful encouragement and protection to all literature;

5. Of common integrity, civility, and even commercial decency between nations;

6. Of immediate, continuous, and ever-increasing benefit to the human race, by its larger multiplication and improvement of intellectual products, by its adoption of a standard of international rectitude higher than any yet insisted upon with physical force, by its recognition of the republic of humanity through its recognition of the republic of letters, and by its consequent amelioration of international selfishness, prejudice, jealousy, meanness, and spite,—the very things hitherto that have kept down human souls, and kept up wars, and kept back the higher life of the world.

Moses Coit Tyler.

THAT the facility with which a thing may be stolen is no valid excuse for the theft, and that simple justice to the author requires that literary property should be protected like any other property,—this seems too plain to admit of question. The argument in favor of International Copyright covers broader grounds. No individual, no country, can afford to favor injustice. The easy plunder of authors' rights is detrimental to the literature and the morals of a people, and should be abolished, along with all forms of dishonest repudiation and public fraud.

J. T. Trowbridge.

No one denies the foreign author's simple moral right to property in the product of his brain; so we may waive that feature and look at non-existent International Copyright from a combined business and statesmanship point of view, and consider whether the nation gains or loses by the present condition of the thing.

As for the business aspect, a great argument of politicians is that our people get foreign books at a cheap rate. Most unfortunately for the country, that is true: we do get cheap alien books—and not of one kind only. We get all kinds—and they are distributed and devoured by the nation strictly in these proportions: an ounce of wholesome literature to a hundred tons of noxious. The ounce represents the little editions of the foreign masters in science, art, history, and philosophy required and consumed by our people; the hundred tons represent the vast editions of foreign novels consumed here—including the welcome semi-annual inundation from Zola's sewer.

Is this an advantage to us? It certainly is, if poison is an advantage to a person; or if to teach one thing at the hearthstone, the political hustings, and in a nation's press, and teach the opposite in the books the nation reads is profitable; or, in other words, if to hold up a national standard for admiration and emulation half of each day, and a foreign standard the other half, is profitable. The most effective way to train an impressionable young mind and establish for all time its standards of fine and vulgar, right and wrong, and good and bad, is through the imagination; and the most insidious manipulator of the imagination is the felicitously written romance. The statistics of any public library will show that of every hundred books read by our people, about seventy are novels—and nine-tenths of them foreign ones. They fill the imagination with an unhealthy fascination for foreign life, with its dukes and earls and kings, its fuss and feathers, its graceful immoralities, its sugar-coated injustices and oppressions; and this fascination breeds a more or less pronounced dissatisfaction with our country and form of government, and contempt for our republican commonplaces and simplicities; it also breeds longings for something "better," which presently crop out in diseased shams and imitations of that ideal foreign life. Hence the "dude." Thus we have this curious spectacle: American statesmen glorifying American nationality, teaching it, preaching it, urging it, building it up—with their mouths; and undermining it and pulling it down with their acts. This is to employ an Indian nurse to suckle your child, and expect it not to drink in the Indian nature with the milk. It is to go Christian-missionarying with infidel tracts in your hands. Our average young person reads scarcely anything but novels; the citizenship and morals and predilections of the rising generation of America are largely under foreign training by foreign teachers. This condition of things is what the American statesman thinks it wise to protect and preserve—by refusing International Copyright, which would bring the national teacher to the front and push the foreign teacher to the rear. We do get cheap books through the absence of International Copyright; and any who will consider the matter thoughtfully will arrive at the conclusion that these cheap books are the costliest purchase that ever a nation made.

Mark Twain.

I SHOULD be content to rest the argument for International Copyright upon justice, and it would seem that an appeal to the sense of fair dealing ought to be enough. In every civilized country the law recognizes an author's published books as his property for a limited term of years, and gives him a remedy for the invasion of his rights. In all civilized countries a person may go and be protected in what is universally recognized as his property; more, he may hold property and be protected in it in countries where he is not a resident, and where he has never been; he may hold any sort of personal property—even the right of royalty on an invention—except in one case: the author has no property in his books beyond the territory in which he is a citizen. Is it just that this exception should be made against the author? No one contributes more to the entertainment and elevation of mankind.

But the argument stands with equal solidity upon expediency. Take the case of England and America. If our legislators are unwilling to do justice to English authors, they certainly ought to protect the American authors. The latter have a right to ask that their government should secure for them in England the same rights there that American inventors have. But this is not all. We want in this country a literature *sui generis*, the influence of American and not of English ideas upon our increasing millions. But as long as publishers can get for nothing English material, they can not afford to pay for American production. The American author asks to be put upon an equality in this country with the English producers of literature. He does not ask for protection. He is in the position of a cotton manufacturer in Connecticut, who might be able to compete with one in Manchester without a tariff, but who could not hold the market against goods made in Manchester that had been stolen and brought to this country.

Charles Dudley Warner.

THERE seems little need of words on the subject of an International Copyright Law. Justice and fair dealing demand it. I have seen no argument against it which was not, logically and morally, too weak to need refutation. The measure commends itself to every man who is honest enough to keep his hands out of his neighbor's pocket.

John G. Whittier.

Christian Union.

LETTERS FROM EPISCOPAL DIVINES.

From Bishop Dudley.

IT has been a real pleasure to read Dr. Shields's paper in the November CENTURY. His rainbow words of hope must bring a more than momentary delight to the Christian heart that is weary of the "wars and fightings" among us, the stormy controversies about matters of little moment, albeit our joy be but the recollection of the covenant of promise, and our eyes can see no sign of its speedy fulfillment in the oneness that shall be.

Grant that the dogmatic ferocity of the last century has been somewhat tamed, and that sectarian shibboleths are not sounded so loudly as then; grant that the time is near at hand, which, alas, we fear is far distant,