WHY THE COPYRIGHT BILL
SHOULD PASS.

1. It is not just that a citizen should be deprived of his property the moment it leaves the boundary of his country, and it is against good morals that an author’s literary property should be an exception to this principle. In the language of Henry Clay: “It being established that literary property is entitled to legal protection, it results that this protection ought to be afforded wherever the property is situated.” The passage of this bill would enable our authors to obtain from foreign countries adequate reciprocity, which would put an end to the “piracy” from which we have long suffered and continue to suffer.

2. Whatever theory of copyright one may adopt, the practical experience of the world has decided that it is proper, in the language of the Constitution, “to promote the progress of science and the useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.” Henry Clay, in his Copyright Report of 1837, said of this provision: “There is no limitation of the power to natives or residents of this country. Such a limitation would have been hostile to the object of the power granted. That object was to promote the progress of science and the useful arts. They belong to no particular country, but to mankind generally.” It has been truly said that “the way to promote literature is not to obstruct it, and the present situation in this country is an obstruction.” The limitation of copyright to citizens was made by statute with the pur-
pose of building up American literature. In the opinion of the entire literary craft it has had a deterrent effect, our progress in literary production being manifestly inferior to that in material invention, the spread of which, at home and abroad, is subject to no such exclusion from the security of the law.

3. The bill is necessary to raise our own country to the standard of national morality and of international fair play maintained by other civilized nations now united in the Berne International Copyright Union; and for the wholesome development of our national literature, now hampered by the fact that writers cannot devote themselves to the production of books as a profession if their productions must compete with books on which no payment is made to the producer.

4. The progress of civilization is indicated by the legal recognition as wrong of those acts which have become odious to the moral sense of the world. Piracy on the high seas, wife-beating, and cruelty to children and animals were once lawful. The civilized world has long been scandalized by our exceptional attitude toward literature, and the country has long been ready to reverse it.

5. The bill is not in the line of class-legislation, but is, in effect, the repeal of class-legislation, authorship being the only form of industry legally depressed below the plane upon which all others stand,—the plane of secure ownership in the object produced. American authors ask for their products no Government "bounty," but only a fair field for their own labor in this country and abroad, and a fair chance to make authorship in America a self-supporting profession, instead of a by-calling at the end of a day's toll in other fields.

6. An important result of the bill is that it will put a stop to the garbling and inaccuracy of editions hurriedly rushed out by irresponsible persons. Unless a writer can control his copyright, his text may be changed, mutilated, and even made morally offensive by those who reprint it.

Many such cases of injuries to American authors are on record, and constitute an injury more grievous to the author than the pecuniary loss, while they are also a wrong to the reader.

7. It is believed that no American author of note has failed to protest against the injustice done by his Government in this matter. The whole body of American men-of-letters, living or dead, have gone on record as in favor of International Copyright. The present bill is supported and urged by official organizations of national extent representing the body of American authors, publishers, employing printers, and workmen in all the printing trades, by the monthly magazines, the weekly and daily press, by educators, divines, and by the reading public generally. Among the prominent advocates of liberal security to literary property have been Lord Mansfield, Sir William Blackstone, George Washington, Thomas Jefferson, John Quincy Adams, Daniel Webster, Henry Clay, Charles Sumner, Dr. Francis Lieber; and (officially) Presidents Garfield, Arthur, Cleveland, and Harrison. The time is especially propitious for this measure when the publishers who have most widely reprinted foreign literature under the present system cordially join with others in the petition for its enactment.

8. The wrongs which this bill would redress are actual, widespread, and onerous, while the evils attributed to it are in part imaginary, and for the rest conjectural. In the present "scramble" condition of the business of reprinting foreign books, the publishers of the West are at a special disadvantage. When foreign books can under a copyright be arranged for at leisure, an important obstacle will be removed to the multiplication of publishing centers throughout the country. There is not a particle of evidence to prove the ridiculous assertion that there is likely to be or could be maintained, a "Book Trust" in copyright literature, or to show that the bill will make the body of literature dearer. On the contrary, one object of the
bill is to stimulate the production of literature, not to limit it. The businesses that form successful trusts require large capital. The book business is not one of these, and American publishers are not foolish enough to combine to keep up high prices, knowing that they could not do so against the competition of the present literature of foreign countries (which this bill leaves as cheap as before), and against the competition of valuable domestic copyrights constantly expiring. "The author is, and will be, the master of the situation. He will give his books to that house which will give him the best terms, or do the work to his advantage. The largest percentage is not always the greatest inducement. The publisher who can give the work most of personal attention, or insure the largest sales, will be the best agent of the author, and this kind of publisher is to be had among the younger and weaker quite as often as among the older and stronger." Moreover, on principle, American authors and publishers are generally the most effective opponents of trusts.

9. The bill will enable American authorship to reach with American books the American cheap market, now so largely reserved for foreign novels which are often alien in character to the genius of our institutions. Nobody would favor the introduction of English histories as textbooks in the public schools, simply because they might be a trifle cheaper than American histories by reason of the lack of compensation to the English authors. American authors are not asking to be given the market artificially, but simply that the artificial handicap may be removed, so that they shall have an equal chance to supply the permanent demand for cheap books. The question is not whether there will be cheap books, but whether they shall be American or English. Experience has shown that the copyright, which is important to the author in the mass, operates in favor of cheap books, and that the selling price depends upon the nature and the extent of the market.

France and Germany, with the greatest security to literary property, have a very large body of cheap literature. The American magazines present the cheapest literature in the world, and yet they are made up entirely of articles that are paid for. The present situation forces American publishers to print small editions at higher prices; the bill would enable them to print large editions at small prices.

10. The bill has been framed with a view to causing the minimum of disturbance to the industries engaged in the publishing and printing trades consistent with the recognition of the main principle. It is the outcome of the most careful consideration and adjustment, and is warmly supported alike by Republicans and Democrats, protectionists and low-tariff men, and by the reading public of the country generally, and will give stability to the book business. The uncertainty of the value of domestic copyrights, resulting from the competition of cheap reprints which pay nothing to the foreign author, has had an unsettling effect upon the book industry, and has otherwise told against the development of American literature.

11. Much is said and written of the desirability of cultivating foreign markets for American goods, but of what use is the rapidly increasing foreign market of the American author if it make no returns to him? Hundreds of thousands of dollars have thus been lost to American producers of literary property. The passage of this bill would enable them to secure the legitimate returns of a foreign market which already exists and therefore does not have to be created, and would thus result in the spread of American ideas and of the knowledge of American progress.

12. The long-continued policy of the United States in permitting the confiscation of literary goods is distinctly communistic, and has borne its legitimate fruit in the claim that it is the business of Congress to provide the people with cheap literature by means of a denial of authors' rights; whereas experience shows that in countries where copyright is most respected literature is cheapest, and that
the amount of the royalty is a very small element in the price of the book to the consumer.

13. We submit also that the term "monopoly," as used against copyright, is wrongly used. A monopoly, in the current sense of the word, is the setting apart by law of certain natural products or facilities, or of certain property of the commonwealth, which, in the absence of such a law, would be open to all. This does not apply to an author's control of his productions any more than to a shoemaker's control of the pair of shoes which he makes. A domestic copyright to the writer of a history of the United States, or an international copyright to the writer of a history of England, debars no other author from writing a history of either country; it does not grant a "monopoly." The author asks only payment for the service he has done, and not for any restriction of the work of others; in fact, one reason for paying him is that it encourages others to write.

14. The freedom of the press in the quotation of news and from periodical literature in general is preserved by the clauses requiring simultaneous publication in both countries of the work copyrighted and the printing of it from type set in this country, and these conditions also insure the prompt issue in America of important foreign books and tend greatly to the identity of the two editions. Books for the American market will thus be issued by those in touch with the American public and familiar with its demands and requirements. The press of the country is overwhelmingly in favor of the bill.

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THE WHOLE COUNTRY READY FOR INTERNATIONAL COPYRIGHT.

ASSOCIATIONS WHICH HAVE OFFICIALLY DECLARED FOR THE PRESENT MOVEMENT.

The following national associations:

1. The American Copyright League, representing the authors of America in all portions of the country.
2. The American Publishers' Copyright League, representing all the well-known publishers, including members of the trade in St. Paul, St. Louis, Chicago, Cincinnati, and San Francisco.
3. The United Typotheta, representing the body of employing printers of the country.
4. The International Typographical Union of America, representing 40,000 typesetters, printers, and pressmen.
5. The American Newspaper Publishers' Association, representing publishers of leading newspapers in all parts of the United States.
6. Department of Superintendence of the National Education Association. State and City Superintendents of Schools, and others.

Also the following local associations:
7. The Western Association of Writers, headquarters at Indianapolis.
8. The Boston International Copyright Association.
10. The Chicago Copyright Association.

Also
11. The Entire Magazine Press.
12. The Librarians of the Leading Public Libraries.
13. The Presidents and Professors of nearly all the Colleges and Universities.
14. The Reading Public generally as its opinion is reflected in the weekly and daily press and by letters and petitions.
The undersigned, an American citizen, urges the passage by Congress of an International Copyright Law, which will protect the rights of authors and will enable American writers to ask the same act of justice from foreign nations.

George Bancroft