

tariff fosters frauds of this sort is very certain. The smuggler and counterfeiter always follow close behind the custom-house inspector.

The objection to the picture duty which American artists, we imagine, feel most keenly, is the discredit it inflicts on us in the eyes of foreign nations, which contain a large proportion of the public whose opinions they value. We are the first civilized country which has ever sought to make difficult the importation of works of art. All the leading governments of Christendom spend money in buying pictures for public galleries, and encourage by every means in their power the introduction of them from abroad by private individuals, both for their own greater glory and for the cultivation of the popular taste in an important field of human expression. We enjoy the amazing distinction of being the only people to put pictures on a level with cotton goods, and pig iron, and raw wool. Every American who occupies himself either with literature or art or science, or with the cultivation of the ideal in any field of human observation, is, of course, compelled to hang his head for shame when he is asked to explain this to a foreigner. But the reason why he hangs his head for shame in talking to the foreigner is also the reason why he is puzzled and embarrassed when he is called on to explain to the ordinary Congressman why taxes on works of art are all wrong. He cannot make the Congressman understand the part which art plays in the higher development of the race any more than he can make the foreigner understand the Congressman's indifference to it. If a man sees no educational value in art, one can hardly reveal it to him by any sort of exposition. It is, like color-blindness or the absence of ear for music, a difficulty which can only be overcome by faith. That is to say, people who see nothing in pictures, whether old or new, must trust that immense body of the best men and women of all ages who have treated art as "the flower of humanity."

The accumulation of first-rate pictures in America, in spite of all difficulties, is very rapid. They are, it is true, luxuries, in the sense that only rich men can buy them. But they are luxuries which rich men cannot consume, which delight the eye and cultivate the taste and imagination of millions who could not afford to buy them, and in a vast number of cases they find their way in the long run into public galleries and become to all intents and purposes the property of the people. We can hardly check this tendency by any import duty, however heavy. The money the present duty brings in is a mere bagatelle, so that in levying it we accomplish little beyond making our legislation seem barbarous.

THE CHACE COPYRIGHT BILL.

SENATOR CHACE of Rhode Island has again presented to the Senate his International Copyright Bill, with no change in the text except that the date in the enacting clause is set forward one year to July 1, 1888. We

have before summarized the provisions of this bill, and now desire only to revert to the clause which prohibits the importation of any foreign edition of a book reprinted in the United States. Although the two measures proposed to secure copyright to British authors which, for the moment, are attracting the largest share of public attention, both originate in Philadelphia, they are diametrically opposed in one respect. While Mr. Smith's proposed bill is designed to give the utmost latitude to competing editions, upon the plea that in this way the lowest price will be secured to the reader, the effect of the prohibition-of-importation clause in Mr. Chace's bill is absolutely to remove competition. Should this latter bill, as it is now worded, become law, American readers may find themselves obliged to choose either to go without the book, or to pay for the American reprint of Tennyson's next poem double or treble the price of the original English edition. This is no fancy illustration. Whenever an English author of established popularity shall announce a new work, American publishers will hasten to compete for the privilege of issuing it in America, and the bidder offering the highest price to the author will, of course, secure the right to republish. Having thus obtained the entire American market for his edition, with the absolute prohibition of importation enacted in the bill barring out any and every competing foreign edition, the acute publisher will very naturally hasten to recoup himself for his outlay by demanding from American readers the highest obtainable price for the work thus secured.

This is so plainly the practical result of the legislation proposed that it is with considerable curiosity one turns to see what the projectors and defenders of this bill have to say in defence of this stipulation. The arguments made are threefold: (1) That it is "an invariable rule in all countries where copyright exists"; (2) that it is necessary to enforce the requirement of the American manufacture of each book copyrighted; and (3) that the "apparently harmless concession" of an importation of copies of the authorized English edition by the author or copyright proprietor "would overthrow the whole design and purport of the bill."

Concerning number one, we have before pointed out at some length that so far is it from being the "invariable rule in all countries" to prohibit the importing of the authorized original edition, that it is entirely without precedent in the copyright legislation of any and all countries; only surreptitious reprints are thus prohibited. As regards the second reason advanced, section two of the bill distinctly requires that, in order for the foreign author to secure any copyright at all in this country, he must, within three months after recording the title of his book, deposit with the Librarian of Congress "two copies of the best edition of the same printed in the United States"; and if he does not, he remains in exactly the same position as regards an American copyright, after the enactment of the proposed law, as that which he now occupies. It is, therefore, but a transparent

pretence to claim that the prohibition clause is necessary to secure American manufacture. At number three, however, we arrive at the true reason for the insertion of this clause. Instead of being, according to reason number one, simply an article usual in all similar legislation, we discover from Mr. Henry C. Lea's words, quoted above, that the enactment of this article is necessary to secure the real purpose of the entire bill.

Mr. Chace states in his report that the present tariff on books of 25 per cent., added to what is repeatedly referred to by Mr. Lea and himself as the high price of the original editions, would not afford sufficient "protection" to the American manufacturers engaged in the production of books. In other words, the importation of the "expensive original editions," even with the addition of a duty of one-quarter of the English price, would produce a competition detrimental to the interests of the American republishers. It is necessary, therefore, to enact a law which will allow the American reprinter unhindered opportunity to add as much per cent. to the English price as will enable him to meet the additional cost of manufacturing the book in this country (which, according to Mr. Chace, "just about balances the amount of duties imposed"), and, in addition, secure to himself a handsome profit. And this is very evidently "the whole design and purport of the bill," which would, as Mr. Lea says, be thwarted were the prohibition-of-import clause removed. As the interests of the English author and the American reprinter are identical, so far as obtaining the highest possible price for the reprinted book is concerned, it is easy to agree with Mr. Chace that they "will both be protected," but it is by no means so easy to "perceive that the interests of the American reader will suffer no detriment" by giving the first two parties an absolute protection from competition.

During the copyright agitation of 1871-72 the publishers and others of Philadelphia held a meeting in January of the latter year, at which Mr. Henry Carey Baird presided and Mr. Henry C. Lea was present. Fearing that the Copyright Bill requiring American manufacture which was then urged upon Congress might become a law, a resolution opposing it was passed upon the ground that its enactment would "enable the foreign author and his assignee in this country, by an absolute monopoly in the production, to fix the price of his book without fear of competition." At that time, it should be borne in mind, there was no question of giving the reprinter such absolute monopoly as would result from cutting off the competition of the imported edition, and the remonstrance Mr. Lea then sanctioned would, therefore, apply with much greater force to the bill he now urgently advocates. A further resolution, however, setting out that this obnoxious monopoly would fall into the hands of the "great capitalists of the Atlantic seaboard," *i. e.*, the publishers of New York and Boston, gives rise to the conjecture that it was this possible danger to Philadelphia reprinters which was the real grievance.

PROTECTION TO LIQUOR-DEALING.

THE Excise Board presents both a majority and minority report to Mayor Hewitt, in making suggestions, in compliance with his request, for changes in the law. The majority, Messrs. Andrews and Von Glahn, are opposed to high license and in favor of licensing houses instead of persons, and of issuing licenses to "keep open all night to liquor-dealers in certain portions of the city, in the restaurants, hotels, and drinking places about the markets, at the ferries, railway stations, about the printing-offices, and at certain points on the main thoroughfares." They would also license certain places to keep open on Sunday during specified hours, for the accommodation of that large portion of the community who take beer or wine as part of their daily diet. On the number of drinking places they would place no restriction whatever, and as they would only charge a "moderate fee" for the privilege of carrying on the business in any particular house, and as they admit that "the rental value of places licensed is greater for that than for any other business as a rule," they must contemplate an indefinite expansion and cultivation of the business by all property-holders desirous of securing an unusually high rent for their premises.

Mr. Woodman, the minority, on the other hand, would restrict the number of licenses granted to one to 500 of population, which would cut down the number of drinking places now existing in New York from 8,000 to 3,000, and would make the license fee very high, and add imprisonment to the fine for violations of the law, and would in all cases compel the landlord of the premises on which liquor-dealing was carried on to go on the applicant's bond, if he were not himself the applicant. Both reports are worth careful reading as the expression of the two great divisions of public sentiment about the liquor business. Mr. Woodman represents those who think that

"the Excise Law was not made, and should not be administered, in the interest of the liquor-seller. It was made not to promote, but to restrict the traffic; not to protect the seller in his business, but to protect the public against the inevitable evil results of that trade. So inevitable and so evil are these results that the tendency of public opinion and of excise legislation in all civilized countries for many years past has been towards severer curtailment and control of the liquor traffic. In several States of our Union it has culminated, through popular vote, in absolute prohibition.

"Every new step, therefore, should be towards further restriction and repression. The saloon, as it has developed in this city, is a gigantic evil in the vastness of its proportions and in the character it too often bears. It is sapping the strength and endangering the safety of the commonwealth. I believe it to be in the highest degree unwise to do anything to enlarge its scope or strengthen its grip upon the community."

Messrs. Andrews and Von Glahn are not equally explicit in stating what their attitude towards the liquor traffic is, but it comes out clearly enough incidentally through their recommendations. They evidently consider it a source of comfort and convenience to a large body of the population, liable to abuse certainly, and therefore to be regulated, but in no way to be discouraged or frowned upon. Obstacles are

not to be opposed to the business. The conduct of it is to be made safe and convenient; the license is to be transmissible to heirs and executors; the applicant is not to be required to reside in the county in which he sells liquor; licenses are to be issued for short terms for special occasions; connection with theatres and places of amusement is to be permitted; there are to be no prohibited hours or days for all drinking places. In fact, the only condition worth mention which they would attach to permission to carry on a liquor store, is the condition which is attached to permission to carry on a bakery or dairy lunch-room in all civilized communities—that is, abstinence from disorder and indecency. For, most assuredly, if it appeared that bakeries or dairy lunch-rooms were the favorite resort of bad characters of both sexes, and noted for the number of fights and murders which occurred in them, and for the number of persons who issued forth from them to commit assaults in the streets, or go home to "pound" their wives and smash their own furniture, bakers and milk-dealers would be carefully licensed and looked after by the police.

Now, whatever be the merit of this assumption of Messrs. Andrews and Von Glahn, it is certainly not the one which now commands general acceptance, or on which the bulk of this community will any longer allow liquor legislation to be based. Whatever change is made in the law in this State must be, and we believe will be, made in the direction indicated by Mr. Woodman. In other words, public opinion demands, all over the country, with increasing force, that since liquor-dealing cannot be abolished, it must be discredited; that entrance to it must be made difficult; that the number of those engaged in it must be restricted; that liquor-dealers must, by hook or by crook, be ousted from their present influence in our politics; that all regulation of the traffic must openly recognize and provide for the fact that it is by far the most fruitful source of crime and disease and poverty known to the modern world. There is not a civilized country to-day which is not dealing with this problem on these lines. All thoughtful men are everywhere seeking to make liquor-dealing an uncomfortable and disreputable calling. This tendency may be temporarily baffled here and there, but its triumph is certain in the near future, and no flummery about "reputable persons conducting an orderly place in a moderate way," or about "honest, thrifty, law-abiding" drinkers, will arrest its progress.

MUTATIONS OF THE BOOK TRADE IN GERMANY.

THE decadence of the book trade, outside of our largest cities, has been much discussed by those immediately interested, but it is to be feared that the reading public fails to perceive that the disappearance of the country book-shop implies a corresponding narrowing of the area of literary culture. In this connection it is interesting to learn (from an article in the *Preussische Jahrbücher* for November) that the same result is threatened in Germany, though the German trade suffers from only one of the evils

which afflict the American. These are three in number: first, the dying out of the habit of buying books as part of the furniture, as it were, of the homes of all families of even moderate wealth and cultivation. This is chiefly owing to the enormously increased taste for bric-à-brac, engravings, artistic furnishings, and the like, the gratification of which absorbs the margin of income formerly spent in providing well-bound sets of the *Waverley Novels*, *Littell's Living Age*, the *Atlantic Monthly*, and the newest volumes of Huxley and Lowell. Want of space forbids our discussing this point in detail, and we therefore refer those interested to Mr. Henry Holt's New Haven address of last year. Another evil is the revolution in values—that is, in the instinctive consciousness of what one ought to pay for a book, caused by the existence of the twenty-cent libraries. The literary democracy which these have established has destroyed the aristocracy of good editions and authors' monopoly, which, apparently, had nothing to support it except custom and tradition.

These two causes would probably have been sufficient to limit the bookseller's stock to "libraries" and a few gift-books for the holidays, and this limitation is fatal to his prosperity, because the margin of profit on the "libraries" and on school-books is very small, while the gift-book season is short, and the danger of being left with damaged or *passé* stock is great. But that which, in the opinion of the trade, is the greatest evil, and the one from which, in a different form, the Germans also suffer, is the underselling, by which a few dealers are able to profit at the expense, and eventual ruin, of the majority. This is the "bazaar" nuisance, the system under which publishers sell quantities of their most salable books, at the same or greater discount, to the miscellaneous shops modelled on the *Bonne Marché* or the "Universal Provider," one, at least, of which is now to be found in every considerable town, and which use books, along with dentifrices and soaps, as decoys to entice buyers of their other wares. Nor is the influence of these shops confined to their immediate neighborhood, for some of them do a large business by post.

The same thing, it appears, is going on in Germany, and is ruining that particular feature of the German book-trade which, according to our *Jahrbücher* friend, is the envy of foreigners, and which has undoubtedly, as he says, largely helped to make Germany the country in which learning is geographically most widely distributed. By means of it, the scholar who lives in the remotest country town enjoys the same advantages, as regards current literature, as the dweller in the largest city. He has only to give his local bookseller the name of any book which he possibly may find valuable, and by return of post it is on his table. He may keep it several months, and after making any useful extract, return it without compensation for the loan. Two-thirds of the books he receives are thus, at the end of a year, returned to the publisher, and the bookseller makes his living out of the profit on the third book, which is bought. The rural scholar is thus never obliged to buy a pig in a poke—he has ample opportunity to learn, by examination, whether a work is indispensable, and to have the use of the larger number which, though not of permanent value to him, are of great temporary use. Another advantage of the system is that it implies the presence in every little town of a bookseller who is obliged to anticipate, to a large extent, the wants of his circle of customers, and hence to be a man of considerable intelligence, if not a scholar, him-