

widely scattered over the country, and equipped by men of a high order of scientific attainment, zealously prosecuting investigations in all directions, could be made available in coöperation with the department at Washington for a much wider inquiry into grasses and forage plants than would be possible to a single Government farm, or to several. These institutions were either called into being by the patronage of the central Government or have been endowed by the public treasury. They are fitted with appliances, and are accustomed to work with economy. A corps of professors and experts in Connecticut, Michigan, Missouri, Vermont, Georgia, or Texas, works under conditions of climate which apply to the surrounding country. Its experiments on grasses would have an immediate value for that region in which it operates. Such a corps can always, without purchase, command all varieties of soil on neighboring farms, and would find intelligent farmers willing to carry out each one an experiment on a crop under the direction of an expert. The labor and cost of visitation by the investigator would be slight, and most farmers would require but small assistance in money. If our Government is to expend a hundred thousand dollars per year, or a half or a quarter of that sum, let it appropriate for the next ten or twenty years a few hundred dollars annually to each of several judiciously selected experiment stations, for the specific purpose of aiding the Government to obtain the information needed. We do not want a Government farm in the far West, or in the East, or in the South. We need coöperation of the central Bureau with the State institutions, thus securing encouragement to these in conducting investigations which they have already begun, and would be glad to prosecute. The State stations would then stand, as they ought, in intimate relation with the Agricultural Department at Washington, collecting facts for classification and generalization, very much as the signal stations stand related to the Weather Bureau, except that the bond would be voluntary and unofficial. We hope Senator Platt may be induced to revise his plan so as to bring it into accord with economy and efficiency.

A CRANKY VIEW OF COPYRIGHT.

THERE is a fine specimen of confused thinking in an article against copyright in the last number of the *Christian Union* by the Rev. James M. Whiton. Here is one of the tidbits:

"Plainly, there is a fallacy in calling a poem or a novel property in the same sense that a house is property. The house belongs to the builder because he built it. That reason is valid, for all time, to the builder and his heirs or assigns. The novel does not belong to the author for any such reason, otherwise there could be no limitation of his right. It belongs to him for a time, because the State has invested him with a limited ownership as a reward for the service which he performs for the general benefit. When the term of years has expired, his work becomes public property. It is no stealing to appropriate it then, though he or his heirs are living still. But how that which is not stealing, when outside of the time-limit of the copyright, can

be stealing when outside of the space-limit, has not yet been made to appear. We object to this being taken for granted, especially with the invidious assumption of a superior morality in receiving it as an article of faith. We have a good conscience, in all things willing to live honestly, and simply wish the right and the wrong to be made more clear."

Mr. Whiton's trouble here arises out of his failure to define, even in his own mind, the terms he uses—a failure not uncommon with disputants of his school. He employs the term "belongs" in two senses, as indicating both moral right and legal possession, and shifts from one to the other as best suits his convenience. For instance, "the house belongs to the builder *because* he built it," not because the law protects him in its possession; but "the novel does not belong to the author," *because* the State only protects him in the enjoyment of it for a limited period. If the first rule be the true one, and a thing belongs, as a matter of moral right, to the maker of it, of course the novel belongs to the author simply because he wrote it. If, on the other hand, the latter rule be the true one, and nothing belongs to a man except what the law protects him in the enjoyment of, his house would cease to belong to him whenever the police failed or refused to expel intruders from it. In fact, if I should construct a house in the Indian Territory, or any other wilderness where there was no law, I should have no more "right" to it than the first comer, and less right than any man who could oust me. That a man does not own a thing "because" the State does not protect his ownership, or only protects it for a limited period, or only imperfectly, is a funny non-sequitur to emanate from a professional moralist.

The true way to approach the copyright question is to base one's reasoning on the rule of morals and commonsense, that all work of a man's hands or head belongs to him, of natural right, unless his ownership is modified by some sort of preliminary contract, as in the case of work done for hire. Having laid this down, we can proceed to consider the other and totally different question of expediency, to what extent, and by what means, and under what conditions the law should protect any kind of property. It protects landed and personal property, for instance, in different ways, and some kinds of property, as dogs, for instance, it refuses under certain circumstances to protect at all. The spectacle of one man making money out of the sale of a thing which another man has created, without compensation to the owner, ought to suggest to every moralist who witnesses it that there is a hideous defect in the law which should be promptly remedied, and this, we are bound to say, for the honor of human nature, is the usual effect of such a spectacle. But what it suggests to Mr. Whiton is, oddly enough, that the maker of the article does not own it, or the other would not be selling it. So that if he got to a city where the police was bad, or the courts inefficient, or in which he saw robbers taking people's watches in the street with impunity, he would conclude, by parity of reasoning, that the people robbed had prob-

ably no claim to the watches themselves. "If they really owned them," he would say, "why should the robbers take them away from them?"

It was, down to the middle of the last century, the custom in Cornwall to seize and carry off everything which came ashore in wrecks, including the personal belongings of the crew. The good faith in which the people maintained this custom is illustrated by the well-known story of the Cornish vicar who, when the news of a ship ashore reached the church during the service on Sunday, called out to the congregation to wait till he got down from the pulpit and took off his gown, so that all might start fair. If Mr. Whiton had passed by on such an occasion, he would exclaim: "How odd that the things in that wrecked ship do not belong to the crew or the owners," and if asked how he knew they did not belong to them, would doubtless answer that if they did the Sheriff would be on hand to protect them.

Probably on no subject except currency has there been as much curious mental aberration as on copyright. One has only to go back to the reports of bygone currency discussions to find notions about the nature and use of money which, in later and quieter times, read like the ravings of lunatics or the chatter of children. The experience of the world with the copyright is somewhat similar. It is a new and very unfamiliar kind of property, which is dissociated from possession in a way that seems very strange and unmanageable to a world which is only just getting accustomed to large masses of personalty represented simply by bits of paper. Consequently, when the question of providing proper protection for it comes up, one has to tussle at the outset with a host of cranky, old-fashioned people, who think that whatever is easy to steal must surely be, like objects *feræ naturæ*, the common inheritance of the human race.

THE OPENING OF PARLIAMENT.

LONDON, February 27, 1888.

THE Government has now met Parliament, and it is possible to form some judgment on the strength of parties in the House of Commons and in the country. A well-known dissident Liberal, who was absent from England during the recess, has published his impression that the cause of home rule has not advanced. It may well be that, before the opening of the session, even an impartial eye might have failed to detect any movement in the tide. The effect of the bye elections in the spring and summer of last year had had time to subside. The Conservative majority at Winchester was increased. It would be idle to deny all effect to the desperate energy displayed by the Liberal-Unionist leaders. They have been fighting for their lives, with the deep sea of political extinction behind them, and before them the hope of largely influencing the policy and ruling in the councils of their new allies. Again, the policy of repression in Ireland, theoretically declared by the Prime Minister two years ago, and now carried out by a minister to whom the defiance of hostile criticism is not an uncongenial attitude, while it has lost and not gained adherents, has yet put heart into the Tory party. If, in exchange for the name of power, they must surrender

many conservative principles, it is some consolation for a party which is often taunted with being much bolder in theory than in practice, to figure for once as the upholders of a firm and unflinching policy.

But the final decision of the country cometh not by observation, and few supporters of the Government outside of a newspaper would deny that whatever the future vicissitudes of the question may be, the events of the past fortnight have been discouraging to their prospects, and that at the close of the debate on the Address the position of the Home-Rulers stands considerably improved. This result was at first helped by a group of bye elections, though the elation of some of Mr. Gladstone's followers has received a smart check by the defeat at Doncaster. The significance of bye elections is apt to be exaggerated. Still, at a critical period, when the public mind is extremely sensitive, a run of success, if it were unbroken, might have a widespread general influence. The news of the Southwark election, with a quite unexpected majority, came to the House when Mr. Goschen was replying with effort to a speech of Mr. Gladstone's which had made a profound impression. The dramatic effect of the scene will not be forgotten, and it obviously disconcerted the most able and most confident champion of the Treasury Bench. But in the debate itself the preponderance of advantage was with the Opposition to a degree not often witnessed in these days, when the platform and the press so largely anticipate and discount the effect of Parliamentary discussion.

In the debate on Mr. Parnell's amendment, the issues involved in the present policy of the Government became more clearly defined. The Opposition have all along maintained that the Crimes Act was a weapon forged not against crime but against legitimate combination. It was now argued that the truth of this contention had been proved by experience, although the attempts to put down combination had not been successful; that the injustice and ruin still inflicted on tenants on great estates like Lord Clanricarde's afforded conclusive justification for legal organizations, such as the National League, and even supplied excuses for illegal combinations, such as the Plan of Campaign. The Government made no serious attempt to connect the National League with any criminal object or the perpetration of crime. They did not succeed in showing that they had achieved any result commensurate with a violent infringement of political rights. The population of Ireland are irritated by what they conceive to be the persecution of members of Parliament and other respectable men, petty in character, but necessarily accompanied by many circumstances of individual cruelty and indignity—not to speak of such events as the bloodshed at Mitchelstown. Yet the Government failed to show that they had advanced a step on the road to producing contentment and peace in Ireland.

An important feature of the discussion was the calm and temperate declaration made by Mr. Gladstone on behalf of the Liberal party. He not only disclaimed all sympathy with obstruction, but welcomed the proposed legislation of the Government, which chiefly consists in the Local-Government Bill for England. On behalf of the Irish party, and from the Irish point of view, Mr. Parnell's statements on the same subject were not less emphatic, and even in Mr. O'Brien's remarkable and impassioned speech there was no discordant note. The Coercion Bill gave the Nationalist members a more than plausible excuse for a different attitude last session; the Government programme of last year offered little opportunity for a

welcome to useful legislation; and, lastly, in Mr. Gladstone's necessary absence, the Liberals were without leadership at the commencement of the session. Yet many Liberal members would have rejoiced if the present attitude of the Opposition had been more clearly and firmly taken up from the first. The announcement was received with little graciousness, or rather with marked uneasiness, by the more combatant occupants of the Treasury bench, who well know that the best card in their hand is to fix upon the Opposition the stigma of disorder, whether inside or outside the walls of Parliament. The street disturbances in London, unfortunately no new thing, and fortunately not of a serious character, are drawn in to reinforce the doctrine that Mr. Gladstone is preaching a gospel of anarchy and social danger. On the other hand, there is some reason to believe that the metropolitan electors consider that the present Irish policy has infected the London police with the habit of using their batons very freely and indiscriminately. In many quarters it is almost grotesque to observe the readiness to attribute any breach of order or of law to the inspiration of the Liberal leader. The poor Scottish crofters, whose disturbances began six years ago, are spoken of as if they were the dupes of the new home-rule policy.

Again, the Tories taunt the English Home-Rulers with their sentimental policy. They mock at the "union of hearts" for which Liberals profess to strive. But, in truth, the ultimate appeal is made both on one side and on the other to the more generous feelings of the mass of the electors. These feelings are, when roused, a great motive power. Just as the gallery of an humble theatre is intensely moved by the spectacle of injured virtue or triumphant villainy, even when presented with little refinement and little art, so in a great national question the so-called sentiment of the multitude will count for something. The Home-Rulers say, the Irish have been, and still are, misgoverned and ill-used. Let them mind their own affairs. But the Unionists also say, these self-styled Nationalists are bad citizens and bad men, the friends of criminals, if not criminals themselves, and they conspire against the dignity of your Parliament. Will you hand over to such men the government of Ireland? Thus both sides appeal to the better feelings, to the moral sympathies, of the masses. As the discussion proceeds, these considerations acquire more decisive importance. As an argument against home rule the danger of separation sinks by comparison into the shade. The difficulty of the Ulster minority appeals to the reason and the feelings of certain men and classes of men, but its influence is local and partial. On the other hand, the character, the motive, the conduct of the home-rule movement and those who promote and guide it, are questions which go home to the minds and consciences of all the electors.

On this issue, as the facts come more and more into the daylight, the Unionist party are not gaining ground. The agrarian crime which has blazed or smouldered in Ireland for at least a century and a half, is doubtless connected, and most closely and significantly connected, with Irish discontent; but the Government has wholly failed to connect it with the operations of the National party. Indeed, a very strong case has been made for the contention that the National League had done more than any other agency to check agrarian crime. In this matter it is sometimes hard to believe that the denunciations of the Government are entirely sincere. They do not deny, indeed they insist on, the representative character of the Nationalist members in relation to the Nationalist

movement. Their organs in the press have not scrupled to allege that the leading members of the party are steeped in associations with crime. But, as the Nationalist members become better known, the charge sounds hollow and absurd. Lately depreciated and ostracised in Parliament, it is now the fashion almost to exaggerate the great ability which not a few of them display. But, at all events, it is difficult to doubt their sincerity, or that as a body they are endowed with as much public spirit as any equal number of members. Treated as Ishmaelites even in the Parliament of 1880, they had, indeed, too much acquired the habit of open disrespect for the dignity, usages, and convenience of Parliament. But the Irish party belong to a sensitive race, equally quick to respond to kindness or affront. They feel the cordiality with which they are welcomed as the allies of the Liberal party. As the struggle develops, they are beginning to realize the magnitude of the sacrifice which the Liberal party and individual Liberals made in the cause of justice to Ireland. They themselves are beginning to be known, welcomed, and understood on English and Scottish platforms. Accordingly, the imputation that the Nationalist cause is tainted with criminality is beginning to lose its sting.

As to the orderly conduct of the business of Parliament, the new rule for stoppage at midnight, which was passed on Friday with so much unanimity, obviously affords facilities for obstruction. But in the same proportion that it does so, obstruction will be more keenly resented. There is no doubt that the declaration of the Irish leader on this point, if it is consistently adhered to by his followers, will remove a rock of offence which stood in the way of the cause of home rule. C. D.

TURGENEFF AND THE NIHILISTS.

PARIS, February 24, 1888.

THE person and the works of Ivan Turgeneff are so interesting that I was tempted to read two books recently published—the first, under the title of 'Souvenirs sur Tourguéneff,' the other entitled 'Tourguéneff Inconnu'; titles, it must be said, which were full of promises. The author of the 'Souvenirs' is Isaac Pavlovsky; the author of 'Tourguéneff Inconnu' is Michel Delines, who has translated several of Tolstoi's works, and published books on Russia. Everything must be taken with grains of allowance in these two books, and it is almost impossible to say what is true in them and what is not. The work of Michel Delines seems to have been written chiefly in order to contradict the work of Pavlovsky, and to show him to be entirely unreliable. Though Pavlovsky only appears in it as X—, he is easily recognized. He is represented as a Russian who arrived in Paris with a friend Y—; both gave themselves out as persecuted Nihilists. Turgeneff saw in them victims of the censorship, and of the Draconian laws regarding the press of his own country. He made a protégé of X—, helped him to find his way into the French press, to make translations, lent him money. X— was of an ungrateful nature, and, when Turgeneff found him out, he uttered this prophecy (if we are to believe Delines): "I was mistaken in this young man, but I can now tell you exactly what his future career will be. Remember what I say: this man will become one of Katkoff's contributors; he will abandon the Nihilists and will cover them with mud; he will publish Souvenirs on me after my death, and represent himself as my intimate friend." He is even said to have added: "Wait, I have not done. This man will not die a natural