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SCIENTIFIC AMERICAN SUPPLEMENT

No. 646,

For the Week Ending May 19, 1888.

Price 10 cents. For sale by all newsdealers.

THE NEW COPYRIGHT BILL NOW BEFORE CONGRESS.

A bill is now before Congress, and has been passed by the Senate, having for its ostensible motive the grant of copyright protection to foreign authors; but it is well understood the real object of the bill is to bring about, by aid of Congress, a sort of book trust, by which the prices of books will be advanced throughout the country, the rich publishers made richer and the printers of cheap literature driven out of business. Under the law as it stands, only American books can be patented; all others are free, and there is no mode by which the people can be deprived of cheap books, or those who make them deprived of occupation. But if this foreign copyright bill passes, all books can be patented, the rich publishers will purchase the patents and put up the prices, and only those who control the patents can continue in business.

Probably there are few who will dispute the propriety of granting copyright patents, in some form, for a limited period, to foreign authors; but in doing so every care should be taken to preserve existing advantages and to prevent injury to established industries. The Senate bill appears to be lacking in these respects, and is open to other objections.

The bill in substance provides that on and after July 1, 1888, copyright patents shall be granted to foreigners; they may hold these monopolies for forty-two years; the assigns of foreigners may also obtain copyrights; all postmasters and customs officers throughout the United States are constituted pimps and ferrets for these foreigners; it is made the duty of postmasters to spy out and seize all books going through the mails that infringe the copyrights of foreigners; if an American citizen coming home from abroad brings with him a purchased book, it is to be seized on landing unless he can produce the written consent of the man who owns the copyright, signed by two witnesses. Who the said owner may be, in what part of the world he lives, the innocent citizen must find out as best he can, or be despoiled of his property,

These are some of the strange provisions of the Senate bill, which, it is obvious, needs amendment.

Again, the period allowed for these foreign monopolies, namely, forty-two years, is altogether too long. The ordinary patent for an industrial improvement, such as the sewing machine, the planing machine, the telegraph, the telephone, or any other invention, however wonderful or vast its benefits to the people, is only granted for seventeen years. The patent than expires, the monopoly ceases, and the people are at liberty freely to copy and duplicate the invention.

It would be much more satisfactory to the public if the term of the foreign copyright were reduced to five or ten years; and we trust an amendment to this effect will prevail when the bill comes before the House.

In considering the question of changing the statute, we ought not to overlook the benefits that have accrued to the country from the law as it now stands, and which has worked satisfactorily for more than fifty years. It would be folly to change for the worse.

Under the influence of the present copyright laws, our home publishers have for years been enabled to fill the country with the choicest books and periodicals at the lowest prices. The educative effects of this vast supply of standard literary matter have been astonishing. We have become the greatest reading people in the world.

Says Mr. Andrew Carnegie in his "Triumphant Democracy": "It is estimated there are twenty-three thousand school libraries in America, containing forty-five million books—*twelve million more than all the public libraries of Europe combined.* Other educational establishments increase this number by two and a half million volumes, and thirty-eight State libraries contribute over a million more. The Congressional library, the Astor, the Boston city, the Philadelphia, the various mercantile libraries, the Watkinson reference at Hartford, and many others will raise the grand total to much more than fifty million volumes—a book almost for every man, woman, and child in the United States. More than three hundred libraries contain ten thousand volumes each, twelve contain more than a hundred thousand volumes each, and two contain four hundred thousand volumes each. Even this statement but feebly shadows forth the truth as to the books and periodicals of the country, as compared with those of other lands, for the American is not only a reader, but he is above all other men a buyer of books. Circulating libraries are not so generally used as in Europe. It is when you enter the home of the American farmer or artisan that you are struck with the number of books and magazines you see—the two or three shelves and often far greater number filled with them.

"The universal propensity of the American, young and old, for reading and writing has sometimes seemed to me to lend countenance to Dogberry's dictum that while a good name was the gift of God, 'reading and writing came by nature.' These do seem to be part of the nature of the American. Triumphant Democracy is triumphant in nothing more than in this, that her members are readers and buyers of books and reading matter beyond the members of any government of a class, but in this particular each system is only seen to be true to its nature. The monarchist boasts more bayonets, the republican more books."

It is not unreasonable to assume that the greatest impulses toward the attainment of our present position in respect to popular education, intelligence, and native authorship have been derived, directly or indirectly, from the existing copyright law, which excludes foreigners and encourages American citizens. Independently of these advantages, the law has helped to develop some of the largest industries. It has created enormous establishments for the manufacture of paper, chemicals, types, printing presses, and engines. It has called to employment multitudes of operatives. It gives volume to the mails, helping to freight and support the railways, steamers, telegraphs, and other adjuncts of civilization.

Upon the American author the copyright law, as it stands, confers important benefits. It secures to him the exclusive right to his writings for forty-two years. No citizen who can produce anything worth reading lacks for employment or emolument. It is agreed on all sides that no country was ever blessed with so many able authors as the United States. They ought to be well rewarded, and under the law as it stands they are. It would be easy to give many examples; a few must suffice. Of "Uncle Tom's Cabin," by Mrs. Stowe, some two millions of copies have been sold; of "Ben Hur," by General Wallace, 250,000 copies; of Roe's works, hundreds of thousands of copies. Some of the story papers, filled with copyrighted tales, sell four hundred thousand copies of each issue, aggregating many millions per year. Mark Twain is said to have made five hundred thousand dollars clear profit within five years from his copyright patents. He receives a handsome royalty on every volume sold. Mr. Blaine has derived a great fortune in the same manner. Mrs. Grant is reported to have received three-quarters of a million dollars as her share of proceeds from the sale of the great General's book, and the copyright patent has forty years still to run.

The money paid to American authors remains within the country. The extension of copyright monopoly to foreigners will enable them to draw millions out of the country.

To this it may properly be answered, if we grant copyright to foreigners, then foreign nations will in duty be bound to allow similar rights to Americans; and so the money will come back. But we fear there is little equality in the matter. American readers and book buyers are as five to one, the world over. The financial result of the patent copyright extension would be, in the same ratio, adverse to the United States.

PASSAGE OF THE COPYRIGHT BILL IN THE SENATE.

The copyright bill, to which allusion is made in the preceding article, appears to have received less attention and less discussion in the Senate than its important nature demanded. Only three or four Senators spoke upon the merits of the subject, and their remarks were quite brief. We fear the votes of the majority by which the bill was passed were cast without a full appreciation of the real crudity of the enactment. Among the ablest of the speeches made was that of Senator Zebulon B. Vance, of North Carolina, from which we make the following abstracts:

"Mr. President, the proposed measure of copyright is intended to create a monopoly and enhance the price of the product, making literature and knowledge dear to the people. Almost all nations, I believe, grant a national copyright on the supposition that the disadvantage of monopoly, bad as it is, would be compensated to some extent by the benefit arising from the encouragement of literature and the stimulation of those who write for the people. An international copyright is simply a monopoly. It is a monopoly between America and the chief nations of civilization and the principal authors and sources of knowledge, and as such it becomes doubly objectionable. It will enhance the price of knowledge to all people in this country, as it will to all people in Great Britain."

"Of course we have the ancient and venerable chestnut brought up, which is always made to do duty in behalf of any proposition to put money into individuals' pockets, that this copyright law would operate to cheapen literature. Life is too short to waste time in arguing that as an abstract proposition. If it did not increase the price of literature, there would be no demand for it here. It could not possibly stimulate the genius of a man to write and publish books and matter in magazines unless the price of that matter was increased to him."

"The whole scheme is evidently one whose basis is what is known as protection, or taxing the people to make a few persons rich. That is the object of the whole thing, and that underlies it. It is an effort to extend monopoly extra-territorially, beyond the jurisdiction of the laws of our country, by a grand international conspiracy between publishers, printers, and book-makers everywhere in the civilized world to make literature and knowledge for the people dear."

"It is not worth while for any Senator, as I have known some to do in the course of this debate, to go off into grand heroic and literary eloquence about the