

**AMERICAN
AUTHORS AND
BRITISH PIRATES**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649252053

American Authors and British Pirates by Brander Matthews

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Cover @ 2017

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AND 84412
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BY

James BRANDER MATTHEWS

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NEW-YORK
THE AMERICAN COPYRIGHT LEAGUE
1889

This paper is a revision and amplification of two articles published in the "New Princeton Review" for September, 1887, and for January, 1888.

B. M.

AMERICAN AUTHORS AND BRITISH PIRATES.

NOW and again, in this country, when we see on every news-stand in every street, and at every railroad station, half a dozen or half a score rival reprints of 'Called Back' or of 'King Solomon's Mines,' or of 'Dr. Jekyll and Mr. Hyde,' we have brought before us with burning distinctness the evidence of the great wrong which American pirates have done and are doing to British authors. But from the nature of things, here in these United States, we cannot see as clearly the great wrong which British pirates have done and are doing to American authors. As most American publishers now deal fairly with the foreigner, and treat him as though he were a native, despite the fact that they have no protection against the competition of any freebooter who may undersell them "because he steals his brooms ready-made," so there are also many honorable publishing-houses in Great Britain which scorn to take what is not their own, and which have direct dealings

with the author whenever they wish to issue an American book. Yet there are also in England now not a few publishers who are quite as bold as the American pirates; and, as we shall see, sometimes more unscrupulous and unblushing than these. In the past there have been fewer American books worth stealing, and the traditions of the publishing trade in England have not fostered a needless reliance on the foreign author; but, when all allowance is made, it is to be said that the British pirate is not at all inferior in enterprise to the American pirate, although he is more infrequent.

It is to this piracy by British publishers that I wish to direct attention, and I need say little now about the kindred plagiarism by British writers at the expense of American authors. I have no desire to dwell on strange cases like the bare-faced borrowing of part of one of Mrs. Wistar's adaptations from the German, by the Rev. S. Baring-Gould, for use in a translation purporting to be his own work, or on the inexplicable appropriation, by the Rev. Sir George W. Cox, Bart., of the 'Young Folks' Cyclopaedia of Common Things,' devised and prepared originally in this country by Mr. John D. Champlin, Jr. Discreditable as were both of these affairs, there is no need now to linger over them or over others like them, be they more or less common; although I may set down an impression that this sort of plagiarism is more frequent in Great Britain than in the United States; partly, if for no other reason, because it

is easier there than here, as they know less about American books in England than we know about English books in America, and so there is less danger of detection and exposure. But plagiarism by British authors and piracy by British publishers are separate; and it is only the latter that I have space to consider in these pages. Yet it may be noted that neither of the plagiarisms mentioned—Mr. S. Baring-Gould's and Sir G. W. Cox's—would have been ventured if the American authors had been protected in England by copyright.

In Prof. Lounsbury's admirable life of James Fenimore Cooper, we are told how the American novelist labored loyally and manfully to get for Sir Walter Scott some payment from the American publishers who had reprinted the Waverley novels, how he failed, and how he himself suffered from British piracy. "After 1838," says Prof. Lounsbury, "the income received from England naturally fell off, in consequence of the change in the law of copyright. The act of Parliament passed in that year provided that no foreign author outside of British dominions should have copyright in those dominions unless the country to which he belonged gave copyright to the English author. . . . The value of anything produced by a citizen of the United States fell at once as a necessary consequence of the want of protection against piracy." The British law does not now stand as it did fifty years ago, but in that half century every American author

of prominence and popularity has suffered from its deficiencies.

In November, 1876, Longfellow wrote to a lady in England whose works had been republished in America without permission or compensation: "It may comfort you to know that I have had twenty-two publishers in England and Scotland, and only four of them ever took the slightest notice of my existence, even so far as to send me a copy of the books. Shall we call this 'chivalry'—or the other word?"

Twenty years before Longfellow penned these words, in August, 1856, Hawthorne recorded in his 'English Note-Books' that he paid a visit to Routledge's publishing-house in London, and "saw one of the firm; he expressed great pleasure at seeing me, as indeed he might, having published and sold, without any profit on my part, uncounted thousands of my books." It would be difficult now, more than thirty years after Hawthorne made this entry and more than ten years after Longfellow wrote this letter, to number all the British editions of the most popular works of Hawthorne and Longfellow; and nearly all of these editions are pirated. Longfellow's poems are included in almost every cheap "Library" issued in England; and one or another of Hawthorne's romances, the 'Scarlet Letter,' or 'Transformation,'—as the English publisher miscalls the 'Marble Faun,'—is always turning up in English catalogues, even in the most unexpected collections.

Of late years, and especially within the last three or four, there have been many reprints of Emerson's chief books. Before Mr. Lowell was appointed minister to England he was known there as the author of the 'Biglow Papers,' as a humorist only, and in the main as a rival to "Artemus Ward" and "Josh Billings"; now there are various editions of his serious poems and of his criticisms. In like manner the visit of Dr. Holmes to London in 1886 called forth a host of reprints of his prose and of his poetry. Not long before he had been represented chiefly by a book called 'Wit and Humor,' a selection from his lighter verse, and by half a dozen editions of the 'Autocrat of the Breakfast Table,' in one of which he was subjected to the indignity of an introduction by Mr. George Augustus Sala!

The annual lists of most of the British publishing-houses are to be found bound together in the 'Reference Catalogue of Current Literature,' issued by Mr. Joseph Whitaker. A copy of this 'Reference Catalogue' for 1885 lies before me as I write; and an examination of its pages has yielded much curious information. For an American the book abounds with "things not generally known"; and to an American author, or, indeed, to any American who believes that the American author is a laborer worthy of his hire, it offers what Mr. Horace Greeley called "mighty interesting reading."

Let us glance through the catalogue of Messrs. Frederick Warne & Co., a house which devotes