

**THE AMERICAN VIEW OF  
THE  
COPYRIGHT QUESTION:  
WITH A POSTSCRIPT**

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The American View of the Copyright Question: With a Postscript by Richard Grant White

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THE AMERICAN VIEW  
OF THE  
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WITH A  
POSTSCRIPT.



BY  
RICHARD GRANT WHITE,  
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## ADVERTISEMENT.

DURING the last few years there has been from time to time a "movement" among men of letters and publishers to bring about what is called an International Copyright Law, in which I have been invited personally and by letter to take part. As I have neither done so nor given reasons for withholding myself from agreeable associations in an honorable cause, I may, perhaps, without presumption, say that my reasons will be found in the following pages. I will add that courtesy required that I should offer to the publishers of my original article on this subject the publication of this little volume, which they kindly assumed.

R. G. W.

NEW YORK, October 11, 1880.

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## PREFATORY.

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IN the spring of the year 1879 the Messrs. Harper printed and sent to many authors and publishers some interesting and valuable memorandums in respect to reciprocal copyright in the United States of America and Great Britain, accompanied by a request for such suggestions on the subject as those who received these memorandums might deem necessary or useful. Having been favored with copies, I desired to say something again for a cause which awoke my sympathies and enlisted my pen in my earliest manhood, and always seemed to me of even greater importance in its moral and intellectual relations than in those which are merely pecuniary; but other occupation of my time has prevented me from doing so until now. Yet even at this late day there is evidence—of which Mr. Matthew Arnold's article in the London *Fortnightly Review* is a conspicuous example—that *ex/* interest in the question is not diminished.

"The American View of the Copyright Question," which forms the first part of this little book, was published under that title in the London *Broadway Magazine* for May, 1868. I may be pardoned, perhaps, for relating the circumstances under which it was written.

When Mr. Alexander Macmillan, the head of

the London publishing house of Macmillan & Company, was in New York (in the year 1867, I believe), during a visit with which he favored me, I had the pleasure of bringing to his attention the view of the question which is set forth in that article. This view, he said, was quite new to him ; and he deemed it of sufficient importance and interest to ask me to write an article embodying it for *Macmillan's Magazine*. I consented, and at my earliest leisure for such a purpose—in December of that year—I wrote the first part of the article ; but being interrupted, I laid it aside unfinished. Early in the spring of 1868 I was favored by Messrs. Routledge & Son, of London, through their New York agent, Mr. Blamire (with whom I had had no previous conversation tending to such an end), with a request to write for the *Broadway Magazine*, which they then published, an article setting forth to British readers the views and feelings upon this question which prevailed in this country. The request was accompanied with such an offer as to what Armado calls remuneration—which was not in this case, as Costard says, " the Latin word for three farthings"—that it at once excited in me a wish to accept their proposal. I informed them of my pre-engagement, but said that I thought that Mr. Macmillan would release me from it, without which release the article must be his. This, however, he did, and, as I have mentioned before, the article was published in the *Broadway* in May, 1868.

In consequence of a misapprehension of my wishes, the article appeared without my name.

Feeling sure that many readers of the *Broadway* were entirely ignorant of me, I made a particular request that it should be mentioned that it was an "American" author who presented this view of copyright. The editor of the *Broadway* was absent when the manuscript and its accompanying letter arrived in London; and his *locum tenens*, misapprehending my point, published the article simply as "by an American author."

These facts are mentioned here because in this article the "American" view of the question of copyright in the two countries was the first set forth. That view has since then been presented to the British public by others, most notably, however, by Mr. William H. Appleton, the head of the well-known publishing house of D. Appleton & Company, who some three years and more afterward (October, 1871) repeated it in a letter published in the *London Times*, and by Mr. S. S. Conant in an article in *Macmillan* for June, 1879. The letter, coming from a prominent New York publisher, and appearing in the leading newspaper of the world, attracted much attention. The magazine article skilfully deepened the impression produced by the former. In neither, however, was any material addition made to what had been previously set forth on the subject in the anonymous article, "The American View of the Copyright Question," in which, however, much was said which it did not suit the purpose of either Mr. Appleton or Mr. Conant to repeat.

To that article (which is here reprinted with no other changes than such as I should have made