

Another Letter "The Evening Post" Thought Best Not to Publish.

There are few journalists in America who will not subscribe to the following elementary rule of honorable journalism: *If a paper opens its columns to an attack upon an individual or a firm, it is bound to open them equally wide to a reply.* The *Evening Post* again refuses to publish a reply by Messrs. Funk & Wagnalls to its persistent distortion of facts:

TO THE EDITOR OF *The Evening Post*:

You must pardon us for delay in replying to your multifarious attacks upon us, as our unprecedentedly large business—due, perhaps, in part, to your gratuitous advertisement—makes it difficult for us always to find time to read promptly your interesting paper. Yet one, you know, may hear the roaring of the sea, and not be down on the shore. But it is quite possible that some of even the reverberations of your shots (to change the figure) are missed wholly by us. You will recall the story of the stalwart Forty-Niner in the mines of California, on whom a dillitantish tenderfoot drew a silver-mounted pistol of a very small calibre. The old pioneer, placing his hand on the shoulder of his assailant, said, "Young man, if you shoot me with that, and I ever find it out, I'll attend to you." That you may be quite sure that none of your shots escape our attention, permit us to suggest that you send us hereafter marked copies of your paper which contain references to us. Another reason why we do not always respond promptly, as might seem fit, to each of your charges is that we believe it to be a saving of our time, and the sparing of the patience of your readers, for us to wait until they accumulate somewhat, and then meet them in groups, or, as it were, in "Blocks of Fives."

In your issue of Oct. 20th you say:

"We should like to ask the Doctor for the date of the contract by which his firm is supplying the [Wilmington] *Morning News* with these copies of his pirated edition. Was that contract made prior to July 1st of this year?"

To this we answer that in June we sent to quite a number of papers a premium proposition on the *Britannica*; some ten papers accepted the offer; on July 2d we notified all papers, which had accepted the offer, of our having ceased the handling of the work. We have not made a contract with any paper since June; we have supplied less than a dozen sets of the *Britannica* all told to newspapers; we never had a contract with the Wilmington *Morning News*, and have never supplied it with a single copy of the work. Does that cover your point? If not, please let us know, and we shall try again.

In your issue of October 22d, you wonder how it is that William Briggs, of the Canadian M. E. Book Concern, can be advertising the *Britannica* as secured from us if we are standing by our announcement to take no new orders. The facts are these: May 2nd is the date of our contract with Mr. Briggs; that contract was for a definite number of books; all of these books were shipped months ago. We have abided throughout by the letter and spirit of our announcement; that is, as honorable men we have kept our word, as it is our habit to do.

In your issue of October 1st, you say:

"The Rev. Dr. Funk [do you not begin to fee

a little ashamed of this personal styling of our firm?] offers, in the letter to Mr. Putnam, which we published yesterday, to sign a pledge not to publish nor handle any copies of an unauthorized reprint of a foreign book after a certain date, provided all other American publishers will sign it with him."

We sometimes wonder if *The Evening Post* is not actually "color blind" touching arguments and facts that tell against any position it has assumed. Dr. Carpenter as interpreted by the late Dr. Beard, tells us that there is here and there a mind so constituted that when one of its thoughts become over dominant, all the rest are polarized by that one thought, and that to these minds, at such times, white appears black and black white, and the most outrageous and ludicrously transparent falsehoods will seem true as Holy Writ. This theory helps us to charity at such repeated misquotations as the above in the columns of a paper presided over by so honest a man as we have always believed Mr. Godkin to be. We did not say that we would sign such a pledge, "provided all other American publishers would sign it with" us. Without any conditions whatever, we said we would sign it. In another part of the same letter we said that "hereafter under no circumstances would any unauthorized reprint be undertaken by our house."

Friend Post, we have now answered your questions explicitly, fully. If there is one we have not answered, please ask it again, and we shall answer it, or as frankly tell you that we cannot. Now, we wish you to answer equally frankly one question; one honest turn, you know, deserves another: Why has not a whisper of admonition or reproof escaped your pen against Mr. Geo. Haven Putnam's firm for offering to supply the unauthorized reprint of *Chamber's Encyclopaedia*? Had a letter of that kind gone out from our firm—whew! how you would have made the fur fly! Our point is not that we care to have you attack another publisher, but we wish you to tell us clearly just what rule of ethics controls you in such an affair. Is not the fact that Mr. Putnam is a high officer in the Copyright League more than an offset to the fact that there is a "doctor of divinity" in our firm? Besides, months have passed since we have taken an order for an unauthorized reprint of a cyclopaedia, but Mr. Putnam's firm is freshly at it. Is it putting it too strong to say, expect sooner roses from a bush planted on an iceberg, than copyright through a committee whose leading member is soliciting orders for unauthorized reprints?

You will remember, Friend Post, that you and we are bound by close ties to help stamp out "literary piracy" in this country. You say you converted us; we say we converted you—again we say, very well, let us both prove our conversion by the zeal of new converts. There is now a most excellent opportunity for arousing the whole country on this copyright question. Let crimination and recrimination cease, especially among publishers. There has been heretofore very little scruple on this question of copyright. Why should any one deny it? Publishers on both sides of the Atlantic have taken foreign works right and left. Our house has done this very seldom. To this one of our critics has already retorted: "That is because you came into existence when the temptation was least." Possibly. We make no claim for exalted virtue. Public opinion has not been stirred on this question in the past. Let it be stirred now. Emerson has said that steam is three-fourths an Englishman. Exact justice to man because he is man, native or foreign, is nine-tenths American.

Once more, Friend Post, here is our hand (weak it may be, but our heart is in it) for a joint crusade for a copyright law through Congress at its next session.

FUNK & WAGNALLS.

18 and 20 Astor place, N. Y., Oct. 28, 1890.

[From *The Critic*, New York, Nov. 1st, 1890.]

International Copyright.

To the Editors of *The Critic*:

We note in your issue of Oct. 18 Mr. Geo. Haven Putnam's information as to what we will be expected to pay in initiation fee and annual dues as members of the American Publishers' Copyright League, and shall gladly comply. But permit us to say in answer to his somewhat caustic letter as to our name being regularly on the League's list of names and "properly checked": 1. When the League was organized our name was *not* on the list, and when we called attention to this fact the then Secretary apologized for the omission. 2. We did not then receive, nor have we since received any notice of our indebtedness for initiation fee or dues. The sending of such notices is the usual custom, if we err not, of organizations of this kind. 3. No one connected with our firm can remember ever having received notice of any meeting of the League. It is a strict rule in our Correspondence Department that all communications of this kind be placed upon the desk of one of the members of the firm. Rightly or wrongly, we have attributed all this to the somewhat amusing petty spirit against our house which several of the "old houses" seem determined never to miss any opportunity of displaying. We are rapidly outliving the crime of being young; if our older brothers will just be patient, we will soon be able to show them some gray hairs.

In a recent letter printed in *The Critic*, Mr. Putnam, speaking of our handling of the "Britannica," said: "It is a cause of satisfaction to legitimate publishers when these 'freebooters in literature' can, as in these 'Britannica' cases, be 'brought to book,' and can be made to realize that it is not always safe to calculate on the absence of the law." To this we reply:

1. Let Mr. Putnam and ourselves select a committee of disinterested business men, and let this committee be permitted to examine the royalty books from the beginning of our respective firms, and correspond freely with the foreign authors whose books either house has reprinted. If we do not prove to the satisfaction of this committee that we have paid on an average for every copy of a foreign book reprinted by us, a greater per cent. than Mr. Putnam's firm has paid on every copy of a foreign book reprinted by them, then we will pay into the treasury of the American Publishers' Copyright League One Thousand Dollars. If Mr. Putnam fails to prove the contrary he is to pay an equal amount into the same treasury. The report of the committee to be published in *The Critic*. "The code of honor" among gentlemen, it seems to us, will require that either Mr. Putnam accepts this challenge, or retracts the language quoted above.

2. Mr. Putnam makes this violent assault upon us for selling (not reprinting) the "Britannica Encyclopedia" (this month after we had ceased taking orders for the same). Now note. Here is a letter from Mr. Putnam's firm, bearing date September 26, 1890, which was the day following the first printing of Mr. Putnam's denunciatory letter reprinted in *The Critic*:

"DEAR SIR: In reply to your question for price of 'International Cyclopaedia,' we would say that we can deliver a set to you for \$45 in cloth binding, \$75 in half mor., and \$80 in sheep."

The "International Cyclopaedia," as is well known, is a reprint, with American additions, of "Chambers' Encyclopedia," a reprint made without authority by John B. Alden. This unauthorized reprint, which Mr. Putnam thus offers for sale, has conspicuously on one of its title-pages the following announcement: "The 'International Cyclopaedia' includes 'Chambers' Encyclopedia' revised."

Permit us, in conclusion, to quote a suggestion we made in a recent letter to *The Evening Post*:

"We suggest an easy, simple way for the book trade to convince the people that they really, honestly wish copyright. Let Mr. Putnam, or the League which he represents, request the signatures of the book trade to something like this: 'We, the undersigned publishers and booksellers of America, pledge that we will not publish nor handle any copies of an unauthorized reprint of a foreign book made after the date of this agreement.'"

"That is to the point, and easily understood. It is the dialect of the hour. We will sign it. Will Mr. Putnam sign it? Will all of 'the leading publishers'? If the book trade really believes in copyright, let us cease this talk, which cannot but be wearisome in the extreme to the public, and do something that means something. Justly or otherwise, the impression is in many minds that the reason copyright does not carry in Congress is that 'leading publishers' are at heart against it, and dig the pit into which it falls."

FUNK & WAGNALLS.

18-20 Astor Place, N. Y. City, Oct. 25.

[From *the Publishers' Weekly*, Nov. 1st, 1890.]

Funk & Wagnalls' Proposed Pledge Not to Handle Unauthorized Reprints.

To the Editor of *the Publishers' Weekly*:

Several weeks ago there appeared in your columns an erroneous interpretation of a suggestion of ours that is being reprinted in other papers to an extent that makes it necessary for us to request you to permit us to correct the error. You said:

"This [our suggestion] does not strike us as being so much 'to the point' as Messrs. Funk & Wagnalls insist it is. Supposing 'the leading publishers,' who honestly believe in copyright, were to sign such an agreement, what would bind those who are honestly not in favor of such a measure? No, gentlemen, there is but one way—human nature being still in an unregenerate state—and that is, as the *Epoch* tersely puts it, 'to have a law by which everybody shall be compelled to respect literary property without regard to its origin.'"

It was furthest from our intention to suggest this as a substitute for an International Copyright law; instead, we urged it as a sure way to convince the public that the publishing trade in America really desired copyright, believing that this conviction would prove a long and necessary step toward the enactment of such a law. These words appeared in our reply in the *Evening Post* to George Haven Putnam's onslaught upon us for having handled (not reprinted) the "Britannica," this month after we had ceased taking orders for the same. We called attention to the inconsistency of such attacks by publishing a letter from Mr. Putnam's firm, dated the day after the publication of his letter against us. In this letter Mr. Putnam's firm offered to supply the "International Encyclopedia," which, as all know, is a reprint, with American additions, of "Chambers' Encyclopedia," an unauthorized reprint made by that most notorious of American "pirates," John B. Alden—and which is now owned and published by one of the "old publishing houses." After calling attention to this and other inconsistency on the part of "leading publishers," as Mr. Putnam rightly calls them, we used the words which you unintentionally interpreted so wrongly. Our exact language was as follows:

"If we [the publishers] really mean copyright, there is an easy way to make people believe that we mean it. An ounce of action is worth a ton of talk. Permit us to suggest an easy, simple way for the book trade to convince the people that they really, honestly wish copyright. Let Mr. Putnam, or the League which he represents, request the signatures of the book trade to something like this:

"We, the undersigned publishers and booksellers of America, pledge that we will not publish nor handle any copies of an unauthorized reprint of a foreign book made after the date of this agreement."

"That is to the point, and easily understood. It is in the dialect of the hour. It means business. We will sign it. Will Mr. Putnam sign it? Will all of 'the leading publishers'? If the book trade really believes in copyright, let us cease this talk, which cannot but be wearisome in the extreme to the public, and do something that means something. Justly or otherwise, the impression is in many minds that the reason copyright does not carry in Congress is that 'leading publishers' are at heart against it, and dig the pit into which it falls."

FUNK & WAGNALLS.

18-20 Astor Place, N. Y., Oct. 25, 1890.