

# The Nation

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THURSDAY, FEBRUARY 21, 1884.

PRICE 16 CENTS.

## TO SUPPOSE

That each of the one hundred lives lost on the "City of Columbus" or in the "Crested Butte Mine" had been insured in

## The United States Mutual Accident Association,

*It would be necessary, by a like reasoning, to infer a case of universal insurance,*

And that every man, woman, and child in the United States were members of said Association; in which case a loss of

## ONE MILLION DOLLARS

upon the one hundred lives could and would have been paid by a tax of Two Cents upon each member of the Association.

THE UNITED STATES MUTUAL ACCIDENT ASSOCIATION had no risks upon that ill-fated steamer or in the "Crested Butte Mine," although it has fifteen thousand policy-holders, residents of twenty-five hundred different towns and cities in the United States. The most intelligent insurance experts in the United States agree that, by such a system of general average, liability to great losses in any one calamity is reduced to the minimum, thus indicating the sound and conservative business management of this Association.

THE UNITED STATES MUTUAL ACCIDENT ASSOCIATION carries a surplus sufficient to pay every valid claim immediately upon receipt of proof, and at a saving to the insured of one-half the usual cost of accident insurance in stock companies. It has paid upward of twenty-five hundred claims, aggregating more than a quarter of a million dollars, and has no contested nor unpaid claims. The cost of \$5,000 accident insurance, with \$25 weekly indemnity, is about \$12 per annum for assessments, which may be paid at one time if preferred. Membership fee, \$5.

To become a member, write for circular and application blank; and when received, fill out your application, enclose \$5, and forward it to the Secretary at New York, on receipt of which policy will be promptly mailed to you.

### RECENT DEATH LOSSES PAID BY THE ASSOCIATION.

EVANS G. WILEY, Bank Cashier.....	Urbano, Ohio,	\$5,000 00	P. J. O'BRIEN, Salesman.....	New York City,	\$5,000 00
REAMER F. COPELAND, Com. Traveller.....	Waukesha, Wis.	5,000 00	RALZA S. LEE, Traveller.....	Minneapolis, Minn.	5,000 00
HARRIS I. FELLOWS, Physician.....	Albany, N. Y.	5,000 00	JUDSON J. HOUGH, Ins. Agent and Traveller.....	Marysville, Minn.	5,000 00
JOSEPH M. GOODHUE, Merchant.....	St. Louis, Mo.	5,000 00	J. W. HIGGINS, Traveller.....	Detroit, Mich.	5,000 00
JAMES H. SLEDGE, Commercial Traveller.....	La Grange, Ga.	5,000 00	EDWIN S. BAYNOR, Merchant.....	Baldwin's, New York	5,000 00
CHAS. S. BOYD, Merchant.....	Philadelphia, Penn.	5,000 00	DAVID LEWIS, Attorney.....	Chicago, Ill.	5,000 00
BRACKETT H. BADGER, Merchant.....	Fond du Lac, Wis.	5,000 00	ALMON B. BOSEWICK, Traveller.....	Toledo, Ohio	5,000 00
CHAS. J. KING, R. R. Passenger Agent.....	Littleton, N. H.	5,000 00	EDWIN A. ROSS, Merchant.....	Albany, N. Y.	5,000 00
DAVID C. BALLANTINE, Salesman.....	Lincoln, Neb.	5,000 00	THOMAS RICHARDSON, Salesman.....	Lebanon, Ill.	5,000 00

### EXAMPLES OF WEEKLY INDEMNITY CLAIMS.

Thomas H. Farr.....	Philadelphia, Penn.	\$342 80	Frank C. Lay.....	Jamestown, N. Y.	245 00	John E. Breyer.....	Little Rock, Ark.	475 00
W. B. F. Wood.....	Camden, N. J.	390 00	Rev. C. W. Powell.....	Flatbush, N. Y.	380 28	David O. Cole.....	Downer's Grove, Ill.	4400 00
Daniel H. Hawes.....	Detroit, Mich.	650 00	W. H. Orchard.....	Noroton, Conn.	328 57	Adrian Spear.....	Oakland, Cal.	535 71
Frank Smith.....	Grand Rapids, Mich.	325 00	George D. Gould.....	Moline, Ill.	300 00	William Heinekerhoff.....	Mount Vernon, N. Y.	1,300 00
Claus Thelesson.....	New Holston, Wis.	321 42	Francis T. Leach.....	Chicago, Ill.	650 00	Joseph Straus.....	Chicago, Ill.	250 00
William Bennett.....	Cold Water, Mich.	421 43	Arthur C. King.....	Detroit, Mich.	650 00	Sam'l H. De Wolf.....	Philadelphia, Penn.	283 57
T. M. Joslin.....	Detroit, Mich.	432 14	Henry A. Davis.....	Denver, Col.	400 00	P. M. Russell.....	Minneapolis, Minn.	299 71
John O. Marsh.....	Ithaca, N. Y.	600 00	Wm. Storer.....	Elizabeth, N. J.	650 00	Geo. Given.....	Warren, Penn.	275 00
A. R. Johnson.....	New York, N. Y.	475 00	A. J. Wilkinson.....	Keokuk, Iowa	350 00	H. E. Webb.....	New York, N. Y.	500 00
George S. Baker.....	Portage, Wis.	542 86	P. Yates.....	Port Byron, N. Y.	350 00	C. H. O. Houghton.....	Mt. Vernon, N. Y.	475 00
Stephen Waldron.....	Albany, N. H.	650 00	Jennie Browncombe.....	Honesdale, Penn.	450 00	Wm. J. Walker.....	Binghamton, N. Y.	250 00
E. O. Sewell.....	Chicago, Ill.	650 00	George M. Barber.....	Whitehall, N. Y.	250 00	C. S. Guild.....	Lockport, N. Y.	325 00
Frank Krender.....	New York, N. Y.	325 00	M. Snow, Jr.....	Boscobel, Wis.	448 57	Jas. M. Atwood.....	Plymouth, Mass.	521 42
D. J. DeLand.....	Woburn, Mass.	650 00	Hiles T. Houk.....	Norwich, N. Y.	300 00	John Hartmann.....	Brooklyn, N. Y.	250 00
D. J. Raff.....	Ann Arbor, Mich.	550 00	Lawrence Geraghty.....	Albany, N. Y.	348 00	Wm. J. Fries.....	Dallas, Tex.	264 20
John McCaugh.....	Macedon, N. Y.	310 71	W. W. Richer.....	Watertown, N. Y.	30 00	Jas. Chaskell.....	Frederick, N. Y.	560 00
E. E. Dow.....	Toledo, Ohio	375 00	John Hammond.....	Randolph, N. Y.	650 00	Walter L. Gage.....	Grand Rapids, Mich.	660 00
W. H. Beecher.....	New Haven, Conn.	332 14	J. J. Robbins.....	Walcott, Vt.	250 00	M. J. Cohn.....	Cottonwood Springs, Neb.	285 71
W. S. McKree.....	Philadelphia, Penn.	335 71	J. H. Knox.....	Troy, N. Y.	300 00	D. W. Collins.....	Whiteville, N. Y.	300 43
M. DeHond.....	New York, N. Y.	417 84	H. C. Cook.....	Lock Haven, Penn.	300 00	Amasa Jones.....	Portsmouth, Ohio	200 00
H. C. Hadley.....	New York, N. Y.	317 88	Geo. D. Gould.....	Moline, Ill.	500 00	Wm. H. Burton.....	Watertown, N. Y.	600 00
James S. Leeds.....	Brooklyn, N. Y.	425 00						

CHARLES B. PEET, of Rogers, Peet & Co., President.

JAMES R. PITCHER, Secretary.

OFFICE, 320 AND 322 BROADWAY, NEW YORK.

comes so firmly vested in them that, though they sell it in open market as they sell their whiskey, and use the proceeds in debauchery, it cannot be taken away from them. To acknowledge this would be really to introduce a totally new and most destructive principle into American politics, namely, the old medieval doctrine that there are arrangements in government so sacred that they can under no circumstances be changed, no matter how badly they work, or how much human suffering they cause. The American doctrine is that whatever in politics does not work well, must "go," and that no institution must be allowed to work human misery. This of course covers ignorant, corrupt, and liquor-dealing Aldermen.

#### STEALING NEWS.

MR. HENRY WATTERSON is about to introduce into Congress, in the interest of the press, a measure which he very incorrectly calls a newspaper "copyright" law. His language, as given in the *Tribune*, is as follows:

"It simply operates to protect property in news from piratical concurrent publication. This can be done by a clause in the copyright laws making collected news, the product of skilled labor and outlay, exclusive to those who pay for it, for twenty-four hours. I mean all news and news of every description and every association. As matters are, news is not recognized as property at all. Everything about a newspaper office, from the perfecting press to the newsman's pot of paste, is property, and he who steals it falls within the reach and compass of the law. But that which constitutes the real value of a newspaper property—its news franchises—costing vast sums of money and years of special enterprise, training, and labor—has no legal status whatever. It is practically outlawed; anybody can steal it with impunity. The proposed measure protects it from pirated use and concurrent publication for twenty-four hours. It creates, indeed, a new property; that is, property in news. No one can oppose it except those who want to rob others of their labor and money."

In "news," he continues, he would include "all original, special, and general matter exceeding one hundred words, sent by post or wire, and embracing the original communication of information of any and every description."

The copyright laws of the United States all rest upon a provision in the Constitution giving Congress the right to secure to "authors" the "exclusive right" to their "writings" (Const. U. S. Art. I, sec. 8). Mr. Watterson's measure may perhaps, in a certain sense, be said to secure rights to the "authors" of despatches, through the newspapers which buy of them; that is to say, any one who collects and sells news to the press might be able to get a slightly better price for it, if the newspaper purchasing it could prevent its being stolen by other newspapers. But this does not meet the great difficulty in the case, which lies in the fact that it is absurd to talk of a man who picks up a piece of news or an "item" as an "author" at all. The reason why copyright laws are passed is to secure the fruits of original, intellectual labor. But the proposed copyright in "news" does not do this. Any one may collect news without any original intellectual effort, and with very little effort of any kind. Some people do it by listening at

keyholes, most people in the ordinary course of conversation with the persons whom they meet in the way of business or pleasure. If a collector of news in London telegraphs to New York that Sir Stafford Northcote has just delivered a lecture on "Nothing," or that Lord Cairns has offered Miss Fortescue £10,000 to release his son from his marriage engagement, who is the person whose "property" in the news ought to be protected, or who is the "author" of it? Is it the collector of the "item"? If so, any one who has ears and eyes is an "author." On the other hand, if any one can be said to have property in such news, it would seem to be those whose pecuniary interests or reputations are affected—Sir Stafford Northcote, Lord Cairns, his son, and Miss Fortescue. The fact is, that protection against the theft of news has nothing more to do with copyright than it has with patents. Indeed, the persons who could most fairly claim protection from Congress as authors of news are the fabricators of fictitious despatches, the producers of the extraordinary bear stories, or dog stories, or "romances of real life," or anecdotes of remarkable longevity, extraordinary instances of long periods of sleep, or silence, or abstinence from food, which do so much to render lively the columns of country newspapers. These are really the result of literary labor of a certain kind. But this is not the sort of "news" that Mr. Watterson wants to protect.

What his bill is really intended to prevent is the theft of news from one newspaper by another, and chiefly of special despatches, domestic or foreign. If this can be done by giving despatches the protection afforded other kinds of property, every respectable newspaper in the United States will no doubt be glad to support the bill; but there are enormous difficulties in the way which will make themselves felt the moment the scheme is put into the form of a law. The most serious of these is the fact that the property cannot by any human ingenuity be kept in the original form in which it is first published, and consequently cannot be traced. The art of "expanding" despatches supplies a ready means to the newspaper thief of stealing, and at the same time of covering his track completely, or so completely as to make all hope of a successful criminal prosecution very dim. Were the practice made illegal, by putting in a few adjectives and verbs of one's own, and a little information out of some encyclopedia or hand-book, the matter could be so disguised that we should have greater difficulty than we now have in tracing our property. But this is not all: there is a legitimate as well as an illegitimate way of using "news" found in other columns. The same "news," for instance, which appears in one newspaper as a "special cable" reappears immediately in another newspaper as a topic for a paragraph, editorial, or an "item." If this were made a criminal offence, most editors would be in jail all the time; in other words, the newspaper business could not be carried on.

The most aggravated and clearly provable form of the offence which Mr. Watterson wishes to reach is the habitual fraudulent reproduction of despatches as "special" which

are really stolen. A law making any such reproduction a criminal offence would render it dangerous to transfer despatches openly from one newspaper to another, and thus might do some good. But there is no way to reach "expanders," and by means of expansions, or other similar devices, the theft of despatches will always go on. It is a very low and demoralizing sort of crime, but it probably does not do the newspaper which is robbed much substantial injury, because in the long run the readers of newspapers do not attempt to get the news of the day from papers which steal it over night and publish it twenty-four hours late.

#### THE CAPE COD LIBEL SUIT.

MR. NIGHTINGALE'S verdict of \$1,000 recovered from the Boston publishers of the story called "Cape Cod Folks" is practically exactly what it is not legally—a species of punishment inflicted by the jury, much as if the case had been of a criminal nature. What the defendants had done was first to publish in the ordinary course of business a book which turned out to contain the names of a number of people living on Cape Cod—not illustrious, or eminent, or public characters, but plain New England village people, who, had it not been for the author, would have lived and died unknown to fame. Speaking under the full sense of responsibility which such a verdict must produce, we may venture to suggest that it was a bright and happy day for Mr. Nightingale and his friends when they found that they had got into print in this singular way. They immediately made a combined attack upon the publishers and demanded redress, and they have now for a year or two been obtaining redress and notoriety in equal parts. The publishers first brought out a new edition of the book with fictitious names substituted for the real ones, but this did not take away or wipe out the libel, as Mr. Nightingale has now thoroughly proved.

The plaintiff's evidence was very amusing, because it consisted chiefly of denials by him of statements made in the book, as if these had been made as matters of fact. The following is a fair specimen of the evidence. The plaintiff's lawyers read from the book: "'Teacher, this is our champion fiddler, lavender, whale-fisher, cranberry picker, and potato bugger.' . . . The youth of the tuneful and birdlike name dealt his tormentor a hearty, though affectionate, cuff on the ears, and, being thus suddenly thrust forward, he doffed his broad sou'wester, took the hand I held out to him, and, stooping down, kissed me, quite in a simple and audible manner, on the cheek." The plaintiff denied that he had kissed the author of the book then or at any other time. Again, the plaintiff denied many statements regarding his family. His mother, for instance, did not wear "over her cotton gown, on occasions when she went out, a very fine, very thin, old-fashioned mantilla, bordered with a deep black fringe," and consequently it was not true, as the author alleged, that "this pathetic remnant of gentility, borne rudely about by the Cedarville winds, with Lydia's refined face and melancholy dark eyes, gave