MESSRS. LIPPINCOTT AND MESSRS. HARPER.

Having sometime back published the letter of Messrs. J. B. Lippincott & Co. to the London *Athenæum*, and afterwards (on the 15th ult.) the rejoinder from Harper & Bros., we make room for the explanation in full of the Philadelphia firm. This explanation gives the other side of the story that the latter house retained a mis-directed case, intended for the Harpers, in the full knowledge of its true destination; answers the charge in relation to Trollope's *North America*, a charge never answered by the Harpers; and closes with a sentiment—the only sentiment upon which all can agree in peace—in favor of international copyright:

"On January 1st, 1869, we wrote a letter to the London *Athenæum*, stating that it was our custom, when publishing English books, to make, if possible, a special arrangement with the author, or otherwise to lay aside a portion of the profits resulting from the publication for his use; and charging Messrs. Harper & Brothers with violating what is known as the 'courtesies of the trade,' by reprinting Mr. Dilke's *Greater Britain*, which we had previously published under a copyright arrangement with Messrs. Macmillan & Co., London, Mr. Dilke's English publishers, and with having some time before reprinted Mr. Anthony Trollope's *North America*, which we by arrangement had been authorized to publish—an arrangement the existence of which was previously well known to the Messrs. Harper, at the same time disclaiming any responsibility for injury to foreign authors that might arise from a system thus established.

"About two months having elapsed since this letter, a reply to it has appeared in *Harper's Weekly* of March 27th. That reply we propose to examine presently; but, before doing so, it is proper to dispose of a counter-charge therein appended, viz.: that 'in December we received a box containing the electrotypes of *Cast Up by the Sea*, and, *knowing that they were intended for the Messrs. Harper's edition of the work*, withheld them, and in January published the book (unaltered) at a low price.' *If we had* known that the electrotypes were intended for Messrs. Harper's edition of the work, and *had* withheld them on that account, we should have been perhaps a fitting retaliation for the wrong we were just then smarting under of the reprint by the Messrs. Harper of Dilke's *Greater Britain*; but the statement is not quite exact. The precise facts are as follows:

"Some time before, we had quidnunc-ing with the Messrs. Harper, published and undersolling our edition of Trollope's *North America*; but when they reprinted *Greater Britain*, another book on which we had expended a large outlay, we felt their action to be a wrong which, there being no legal redress, demanded some reprisal on our part. Accordingly, we laid upon our *Up by the Sea* as suitable book to reprint—it having been announced by the Messrs. Harper, and we being under the impression that they had purchased the early sheets, and that no other person had any pecuniary interest in the sale of the book in the United States—and had the work stereotyped and printed in our own office. On the 8th of January we published it, at what Messrs. Harper & Brothers are pleased to call a low price. Our edition was nearly ready, the wood-cuts having been engraved in Philadelphia, when, on the 1st of January (not in December, as stated in *Harper's Weekly*), there was delivered at our store a box from London, having no other marks than our address, the expressman's labels, and the usual custom-house stencils. We had no previous advice of it. It was opened, and found to contain two electrotypes of illustrations, without letterings, for *Cast Up by the Sea*. Thinking it probable that some break had occurred in the arrangement between Messrs. Harper and the Messrs. Macmillan & Co., we waited a reasonable time, expecting to hear from London about these electrotypes. On the 13th, having received no communication on the subject, we wrote Messrs. Macmillan & Co., asking for an explanation, to which they replied, on January 30th, that the box had been *addressed to us instead of Messrs.* Harper & Brothers, for whom it was intended. We at once notified the Messrs. Harper that we would forward the box to them on receipt of the expenses paid by us. We respectfully submit that this was our entire course under the circumstances.

"In the article in their *Weekly* of March 27th, the Messrs. Harper further assert that our edition of *Bulwer's Novels* is issued 'notwithstanding the mutually satisfactory arrangement between Lord Lytton and themselves; but it is so obvious that no 'courtesy of the trade' attaches to a series of books reprinted by two houses—Messrs. Phillips, Sampson & Co. published an edition as well as the Messrs. Harper,—the first of which was issued in 1868, that it is only necessary to remark that our edition is the only one of Uniform Library Edition of Bulwer's Novels (in 42 vols.) were offered to us at a fair price by the stereotype keeping that a *complete* and *uniform* edition was a desideratum in the American market, we bought and published them.

"Having disposed of the counter-charges made by the Messrs. Harper, we may leave once more to call the attention of the public to the two cases originally mentioned by us in the *Athenæum*, of direct violation by the Messrs. Harper of 'the courtesies of the trade.'

"1st. They do not deny that our edition of *Greater Britain* was announced in May, 1868;

"2d. They do not deny that they neverthless persisted in reprinting it. Their admission of these positions we hold to be sufficient to rebut our complaint in regard to *Greater Britain*.

"But there was another charge brought by us in our letter to the *Athenæum*, viz.: that the Messrs. Harper had quietly submitted to the Messrs. Harper publishing and undersolling our edition of Trollope's *North America*; but when they reprinted *Greater Britain*, another book on which we had engaged to pay a copyright, we felt their action to be a wrong which, there being no legal redress, demanded some reprisal on our part. Accordingly, we laid upon our *Up by the Sea* as a suitable book to reprint,—it having been announced by the Messrs. Harper, and we being under the impression that they had purchased the early sheets, and that no other person had any pecuniary interest in the sale of the book in the United States—and had the work stereotyped and printed in our own office. On the 8th of January we published it, at what Messrs. Harper & Brothers are pleased to call a low price. Our edition was nearly ready, the wood-cuts having been engraved in Philadelphia, when, on the 1st of January (not in December, as stated in *Harper's Weekly*), there was delivered at our store a box from London, having no other marks than our address, the expressman's labels, and the usual custom-house stencils. We had no previous advice of it. It was opened, and found to contain two electrotypes of illustrations, without letterings, for *Cast Up by the Sea*. Thinking it probable that some break had occurred in the arrangement between Messrs. Harper and the Messrs. Macmillan & Co., we waited a reasonable time, expecting to hear from London about these electrotypes. On the 13th, having received no communication on the subject, we wrote Messrs. Macmillan & Co., asking for an explanation, to which they replied, on January 30th, that the box had been *addressed to us instead of Messrs.* Harper & Brothers, for whom it was intended. We at once notified the Messrs. Harper that we would forward the box to them on receipt of the expenses paid by us. We respectfully submit that this was our entire course under the circumstances.

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