

SIR ARTHUR SULLIVAN AND PIRACY.

BY ALEXANDER P. BROWNE.

“ ‘PINAFORE’—now being performed simultaneously in over one hundred theatres in America !”

Such was the announcement that, in 1879, covered the bill-boards and dead-walls of London. Brief as it was, it was full of suggestion. It marked the opening of a new field for the foreign author, the American dramatic pirate, and the legal profession, irrespective of nationality.

In it English, French, and German authors and composers hailed the tidings of a new market for their wares—a new and brilliant prospect of exchanging the work of their brain for the proverbially plentiful American dollar. The dramatic pirate chuckled to himself at the chance of capturing and looting many a richly-laden bark, tossed and baffled on the troubled seas of international non-copyright. The lawyers began to rummage among their books for points and precedents, not without a comfortable premonition of long and lucrative battles to come.

The success of “Pinafore” made the names of its authors a household word on both sides of the Atlantic. More than that, it produced the dramatic trade-mark “Gilbert and Sullivan,” which to-day stands for actual millions of profit to its owner, Richard D’Oyly Carte, of London. As people there used to say, “Carte invented Gilbert and Sullivan.” Having made the invention, he patented it to himself by an exclusive contract with the author and composer, and from the profits of “Pinafore” he bought outright a piece of land in perhaps the highest-priced quarter of London and built on it his own theatre, the Savoy. His English establishment being thus put in order, he turned his attention to the American market. He had already shown him-

self a good business man and a hard fighter for his rights, and Gilbert and Sullivan, knowing this, intrusted to his management their future battles for Yankee dollars.

When the "Pirates of Penzance," the successor of "Pinafore," appeared, the outlook for it in "America," as Englishmen call the United States, was not encouraging. "Pinafore's" success had developed in this country a horde of men for whom that opera had made a considerable sum of money. With the taste of blood in their mouths, they pricked up their ears at the news of further prey; they even quarrelled among themselves, in advance, as to the distribution of the booty. Some of these men were, and long had been, the managers of well-known theatres and in good and regular standing in the profession; but the majority belonged to that class of penniless theatrical speculators who, in the expressive slang of the trade, are now known as "fly-by-nights" or "snides." This union of classes, the worthy and the worthless, showed well the lamentable state of public opinion then existing as to the propriety of appropriating other people's ideas without paying for them. In those days even the newspapers laughed at our efforts to protect such property in the courts, and in this way did much to salve the consciences of those managers who appeared to possess any.

Appeals to "public opinion," "the self-respect of the American art-loving community," and similar phantasms having been tried in vain with "Pinafore," Carte decided to adopt different methods with the "Pirates." It so happened that, whatever the defects of our statutes, our common and unwritten law recognized fully the exclusive right of a foreign author to do everything he might like with his manuscript, except to publish copies of it. The latter privilege would seem a reasonable one, too; but, as a matter of fact, it did not exist. However, the half-loaf of dramatic bread thus promised appeared better than no bread at all. It was decided to keep both the words and music of the "Pirates" scrupulously in manuscript until the piece had been thoroughly run in New York, Boston, and other large cities, thus insuring at least the cream of the business to those to whom the whole of it morally belonged. This plan worked well enough financially, but it was very distasteful both to the author and the composer. Naturally enough, Gilbert, having written his book, wanted people to read it, and Sullivan had the same reasonable wish for his music

—that the lovers of it should have it at home to play over and enjoy. But under our laws it could not be; a foreign author could hold his right of unlimited performance indefinitely until he published either at home or here, but when that day came, good-bye to any further American income for him.

The right of controlling the performance of a manuscript piece I have spoken of as settled in the law, and so it undoubtedly is now, but in the “Pirates” days our courts were very wobbly and uncertain about it. In a case in Massachusetts in 1861, Laura Keene was the fair plaintiff and the stolen goods consisted of “Our American Cousin.” The Supreme Court held that you or I might perform for profit as much of anybody’s else dramatic property as we could remember, although we would not be allowed to eke out our memory by taking notes. But if we did not have a good memory ourselves, we might employ some one who did, which was actually done in the Keene case. Of course, this was not a sound view of the law. Various writers promptly pointed out the absurdity of the distinction between purloining with the mind and with a lead-pencil, and the case as authority was generally derided. Nevertheless, when the new opera came, in 1880, *Keene v. Kimball* was still available as a sort of cave or refuge for the pirates of the drama, and they hastened to avail themselves of its shelter.

My first dramatic fight was with a pirate of this variety. A certain music-publishing house of high standing put upon the Boston market a *pot-pourri* entitled “Recollections of the Pirates of Penzance.” As no music from the opera had before been published, the “Recollections” sold at a great rate. To the general public, the first part of the title probably conveyed no particular idea; they paid more attention to the “Pirates of Penzance” part. To us, however, it was a shout of defiance from the Cave of Memory before mentioned—in other words, the Keene case. “Ha ! ha !” cried the pirates from their legal fastnesses, “capture us if you can !” Meanwhile they were busy filling their own pockets with the money which rightfully belonged to the despised foreigners. Human nature naturally could not stand this ; so an injunction was asked for, albeit with great misgivings as to the result. They proved to be unfounded. Judge Lowell at that time was the United States Circuit Judge. When the defendant’s counsel expressed his reliance on *Keene v. Kimball* as authority, the Court

expressed without reservation its dissent from the doctrine of that case, and granted us our injunction.

Judge Lowell's decision as to "memorizing" had now become pretty widely spread among the would-be robbers of the Northern States, but the Southern managers were still unenlightened and unterrified. Carte next produced "Billee Taylor," over which we had a hand-to-hand encounter in Baltimore before the United States Judge there. Our opponent was Ford, a well-known local manager. His version of the play, so he testified, had been taken from our own by memory. We admitted the taking, for the two were almost identical, but denied the memory part of it. We were morally certain, in our own minds, that a more reliable agent had been employed, viz., a little money judiciously administered to some of our under people, and, in return, the surreptitious loaning of our prompt-book to the agents of the enemy. But the proofs of this were defective. Furthermore, *Keene v. Kimball* had not then been publicly overruled, for Judge Lowell had not published any formal opinion in our "Recollections" case. So the main part of our injunction was denied by the Maryland Judge, who treated *Keene v. Kimball* as authoritative. All that we saved from the wreck, so to speak, was a vast amount of free newspaper advertising—for the case was widely discussed—and an order that our "printing," or illustrated posters, should not be too closely imitated by our competitors.

The gloom of defeat in the "Billee Taylor" case, which was tried in 1881, lasted until May, 1882, when the decision in "The World" case appeared and the memorizing ghost was laid. This was the case where one Byron, the so-called "Boy Tragedian," had been expressly employed, on account of his wonderful memory, to steal the play of "The World," and had accomplished the feat of committing the whole of a long melodrama to memory in only two attendances. The performance of the version so stolen was enjoined by the Supreme Court of the State, and in the course of their opinion the "memorizing doctrine," as it was called, was completely and finally disposed of.

Not long after this, another ray of light broke through the cloudy sky of copyright litigation. Gounod's "Redemption" had recently been produced in England and was attracting considerable attention. Its English owners, the well-known house of Novello & Co., sold the American rights of producing the work

to Theodore Thomas, and performances of it by the celebrated Thomas orchestra were duly announced in all the great cities. Works of this magnitude and character had not before suffered at the hands of the American spoiler; so no one, at least among those most interested, was at all prepared for the following announcement, which suddenly made its appearance in the Boston papers:

BOSTON THEATRE.
SUNDAY EVENING, JANUARY 21, 1883.
First Performance in Boston of
GOUNOD'S REDEMPTION,
WITH NEW ORCHESTRATION ARRANGED
from Indications in
THE PUBLISHED PIANO-FORTE SCORE.

It was once more the shout of the pirate. The Cave of Memory having been knocked to pieces, he had found another shelter, and the announcement showed just what it was.

It so happened that the "piano-forte arrangement" of the "Redemption" was made by an English composer of reputation, Mr. Berthold Tours. With a laudable desire to add to the completeness of his work, he has printed in here and there, above the musical staff, such expressions as "Fag," "Wind and Strings," "Timp," etc.—cryptogrammatic to the general public, but conveying to the musically-instructed person, in a very general way, the kind of effect which Gounod had produced at the place indicated, in his original work.

Such were the "indications" so pointedly referred to in the newspaper announcement, by the aid of which the "new orchestration" had been, or was to be, constructed. Of course, they were not in any reasonable sense indicative of anything, nor were they intended to be, but they offered a toe-hold for the attacking party who were striving to drive out Mr. Thomas, and the fight began.

Like most copyright fights, it took the form of a motion for a preliminary injunction, that being the speediest way of obtaining redress, if redress was to be obtained at all. The first question presented to Judge Lowell for decision was whether the "indications" were, in fact, of any importance or value as suggestive or indicative of the orchestral composition. As the experts on both

sides agreed that they were not, this question was easily disposed of. The second question was one of law, and much more important. The piano-forte arrangement was the work of a foreigner. It was already published both in England and this country. Of course it could have no American copyright protection. The second question then was : "Did the publication of the piano-forte arrangement—the version for that instrument—deprive the original orchestral work of the protection which it, remaining wholly in manuscript, would naturally enjoy?"

The industry of counsel on both sides had found prior decisions more or less analogous, but nothing which was in any way controlling or decisive. The point was one of new impression. In a written opinion, showing great care and ability, Judge Lowell held that the injunction should issue ; that the exclusive right of performing the unpublished orchestral work had not been lost by the unprotected publication of the piano-forte book. The opinion held, as we had from the first admitted, that a performance of the music of the piano-forte version, entirely without orchestra, would be permitted; and, to the eternal disgrace of musical art, the "Redemption" was, in fact, afterward produced by Lennon in the Boston Theatre to the accompaniment of two pianos and a parlor organ !

This decision in the "Redemption" case was hailed with joy by our foreign friends. Of course, what was law for Gounod was law for Sullivan. "Iolanthe" was just then about to be produced, and we looked eagerly forward to the full enjoyment of the American market and the easy discomfiture of all our foes.

We did not have long to wait. Once more Mr. Ford, of Baltimore, was the purloiner ; once more we advanced to give them battle,—and, alas for the glorious uncertainty of the law, once more we were completely routed. Judge Morris, also of the United States Court, was the instrument of our discomfiture. He fully recognized Judge Lowell's premises, but from them reached a diametrically opposite conclusion. The injunction was denied.

At this juncture there occurred to the writer a plan by which to avoid some of the uncertainties of the disputed "Redemption" doctrine, and to obtain, what we had never before had, a valid American copyright on a part, at least, of the work. The plan in question was so simple and obvious that the wonder is it had not

been hit upon before. It was merely to employ an American to make our next piano-forte arrangement for us. The opera of "Princess Ida" was then under way, and it was determined to try upon it the new scheme. Accordingly a competent Boston musician, Mr. George Lowell Tracy, was engaged and despatched to London. As soon as he arrived there, he was set to work, and the arrangement for the piano-forte was, before long, completed. Now to protect it by copyright in both countries. We knew that such work had already been declared by the courts sufficiently original in character to be the subject of copyright. We knew, too, that England, with a liberality that should be to our own law-makers a constant shame, gives to any alien author full copyright protection, provided only that he be, upon the day of first publication, bodily present within the borders of her realm. Furthermore, and fortunately for our scheme, our law does not insist upon any particular place of residence for the American author at the time of publication. Finally, by publishing the arrangement on the same day in London and New York, the law of each country would be complied with, so far as that matter was concerned.

So, with a free use of the cable, and not without several narrow escapes from disaster through a slip here and there, we succeeded in getting the "piano-forte book" of "Princess Ida" duly copyrighted to Mr. Tracy in both England and the United States. Now once more to the fray! Give us only a foe to fight, and the outlook for having victory perch on our banner would be bright indeed. For the first time we were disappointed through having no one to give us battle. The public here did not want "Princess Ida" enough to induce any one to steal it. However, we had not long to wait.

The marvellous popularity of the "Mikado," which next appeared, brought forth at once a host of would-be pirates. Our "piano-forte book," as in the case of "Princess Ida," was the work of Mr. Tracy and was duly copyrighted by him. The reader will understand that, save for this piano-forte book, no publication whatever of the music of the "Mikado" had been made. It was necessary, therefore, that whoever sought to produce the opera without license must do one of three things. He must either play it with piano-forte accompaniment alone, or if with orchestra, then his orchestral score must be either

stolen from Sullivan's unpublished score or prepared by amplifying our published and copyrighted piano-forte arrangement. As to the production with piano-forte alone we had no fears, for we knew that the public would not tolerate such a wretched substitute for the original. Theft from the unpublished orchestral score was also an unlikely event. The parts were kept with most jealous care, a trusty man being employed, whose sole duty it was to see that they were never out of his sight. He was, furthermore, instructed to report to us instantly the slightest indication of any attempt at copying or otherwise appropriating any part of the precious manuscript. The third and greatest danger was that some American manager of piratical tendencies would have an orchestration made from the copyrighted Tracy book, and use that orchestration in producing the opera.

We had not long to wait before this very thing was done, and by several different managers at once, in New York city itself. Mr. John Duff had gotten an illicit "Mikado" well under way at the Standard Theatre. We decided to make this our next object of attack, and straightway began a suit in equity for an injunction.

Our position was this: As I have said, our piano-forte arrangement was the work of an American citizen, and had been duly copyrighted as such. The airs in it were Sullivan's, and, as he was a foreigner, could not be protected; but the rest of the book, the accompaniment, was the work of our arranger and covered by his copyright, which, of course, we controlled. Now, our American statute says that, when a person copyrights a *dramatic* composition, he and his licensees shall have "the exclusive right of publicly performing the same." Mr. Duff admitted that his orchestral score was simply an expansion of the piano-forte book; a mere re-arrangement of our copyrighted arrangement. Therefore, we argued, when Mr. Duff performs his opera with orchestra, he is performing what confessedly contains our copyrighted thing; and therefore he is performing that thing itself. The only question then that remained to be demonstrated to the court was this: "Is an arrangement for piano-forte of the music of an opera originally written for an orchestra, a *dramatic composition* within the meaning of our American copyright statute?"

Judge Wallace decided against us. At the outset of the published opinion, his Honor says, by way of gilding the pill he was about to administer to the unhappy foreigner: "No one questions

the justice of the claim of the author of an intellectual production to reap the fruits of his labor in every field where he has contributed to the enlightenment or the rational enjoyment of mankind. It was, therefore, entirely legitimate for the authors of this opera to avail themselves of any provision they could find in the laws of the United States, which might protect them in the right to control its dramatic representation in this country, and . . . the plan adopted was an ingenious one."

The opinion then proceeds to knock the plan on the head as follows :

"It does not seem open to fair doubt, that the literary part of an opera, together with the music of the voice parts, comprises all there is of the dramatic essence that lies in the action of the performers. The instrumental parts serve to emphasize the sentiments and intensify the emotions excited by the words and melodies. . . . But the instrumental parts alone are inadequate to convey intelligently to the hearer the dramatic effect communicated by the language and movements of the actors.

"If the orchestration of an opera is not a dramatic composition, certainly the piano-forte arrangement cannot be, . . . and the complainant falls short of a case for the relief asked, because representing the arrangement on the stage is not the representation of a dramatic composition, but of a musical composition, as to which the complainant's statutory title consists in the sole right of printing, copying, etc., and not of public representation.

"While it is much to be regretted that our statutes do not, like the English statutes, protect the author or proprietor in all the uses to which literary property may be legitimately applied, it is not the judicial function to supply the defect."

From the last paragraph, the foundation cause of our defeat will be clearly perceived. It was a defect, a "hole," in our own copyright law; and one which concerns directly all my American fellow-citizens of musico-literary tendencies. Bear in mind that Judge Wallace says, in substance, this : "The orchestral part of an opera is not a dramatic composition, and the unlicensed performance of that part of the opera violates no provision of our copyright law."

Now let us suppose that an American composer, say John K. Paine, should collaborate with a foreign librettist, for example J. R. Planché, in the production of an international opera ; can

they, or either of them, hold the American performing rights in the piece?

This raises a serious question of musical copyright law, and one upon which there is little, if anything, in the way of legal precedent in this country. Judge Wallace, as we have seen, was inclined to discriminate in this respect between the melody and the accompaniment, and he held that, while the former might be considered a dramatic composition, the latter certainly was not. While criticism is ungracious that comes from the defeated party, I may be pardoned for suggesting here a question as to the soundness of the distinction, from which, when applied to such a subject as operatic music, it follows that so much of that music as is vocal is also dramatic, and so much as is instrumental is not. If the later works of Richard Wagner were to be judged by this standard, it is certain that the result would fail to commend itself to the musically-educated intellect. In the Duff case, Judge Wallace quoted with approval this statement from a text-book of authority: "Music designed to be interpreted by instruments alone can hardly be considered a dramatic work within the meaning of the law." Yet I venture, with great respect, to doubt very much if the lamented author of "*Die Walküre*," for example, would admit for a moment that those portions of his work "designed to be interpreted by instruments alone" were not as fully and entirely an essential part of his "music drama" as the rest, in which another instrument, namely, the human voice, was also called into play.

It seems to me that the question whether a musical composition is or is not also a "dramatic composition" within the meaning of our law depends upon the use for which it is primarily intended and adapted; and that if the air of such a composition is held to be dramatic, the accompaniment should be similarly regarded. However, the gods have decreed otherwise, and up to this writing there has been no reversal of that decree.

The validity of the copyright upon our American-made piano-forte book, so far as concerned its being reprinted by others, was not passed upon by Judge Wallace. The point has, however, been since decided by Judge Nelson, now a United States Judge for the Massachusetts District, and the validity of the copyright sustained, the case being *Carte v. Evans*.

Judge Nelson's opinion contains a full and instructive consideration of the questions presented, and the temptation to

quote at length from it is difficult to resist. I may be excused if I yield to this temptation so far as to reprint here a few remarks of the Court in reply to the claim of the defendant's counsel that our plan of employing an American manager was "a mere evasion of the copyright act."

"I am unable," says Judge Nelson, "to perceive how it can properly be called an evasion, if by that is meant a proceeding by which the letter or the spirit of the law is directly or indirectly violated. The thing copyrighted was an original work by an American composer, and therefore the lawful subject of copyright. All the steps taken to secure the copyright, and vest it in the plaintiff, were authorized by our statute. Undoubtedly the plan adopted displayed great ingenuity, and the effect is to vest in these foreign authors valuable American rights in their work ; but there is nothing of evasion or violation of the law."

With the Evans case ends the history of our dramatic battles down to the present time. The legal result has been to increase considerably the protection which foreigners, in the absence of an international-copyright law, are entitled to enjoy in the United States. From the point of view of financial value to American managers of the privilege of playing the Gilbert and Sullivan operas with authority, the situation has greatly changed for the better. Nowadays, there is nearly as much of competition among our American friends for the privilege of production and payment of license-fees, as there was ten years ago to see which one could be the first to despoil us. Moreover, that the long and bitter litigation has not been without other pecuniary fruit is shown by the fact that the profits to the foreign proprietors upon the performances in the United States of the "Mikado" alone are said to have amounted to upwards of one hundred and twenty-five thousand dollars.

Of course, there is a remedy for all the turmoil and confusion that I have described. Men ought not to have to battle for the preservation of their property. To those who have read this story of the fight, the thought must, before this, have come, "Why not have international copyright?" And in reply the writer can only say with Echo, "Why not?"

ALEXANDER P. BROWNE.

WHY AM I A QUAKER?

To ONE who before all else would be a Christian, the reasons for adhesion to any given denomination must lie in the circumstances of his education, and in his preference for that form of Christianity, in doctrine and practice, which distinguishes the body to which he adheres. I am a Friend, then, because for two centuries my ancestors have as Friends served their generations; and yet more from a conviction that in Quakerism is to be found "what Christianity is in itself," divested of non-essentials and relieved of the accretions it had gathered since the apostolic times.

The Society of Friends grew out of a vivid apprehension of the spiritual presence of Christ made perceptible to men, especially to those who welcomed that presence; of an intense faith in God's universal love to mankind, and an honest endeavor to carry the reformation of Christianity to completeness by a return to the tenets and to the life, moral and religious, of the first Christians. Christ the eternal Word, Christ incarnate, and Christ ascended, yet ever enlightening and teaching men, was their foundation. Without reference to the historic fact, they resumed many of the views held by the orthodox Greek fathers as to God's nearness to man, man's affinity to God, and the universality of the Father's love to those who even the heathen knew were "his offspring." Quaker Christianity commends itself to me by these traits, and especially by its universal spirit. Assured of the operation of the Spirit of God upon the mind and the conscience, the Friends accept without reserve the testimony of the Scriptures to themselves, that "holy men of old spoke as they were moved of the Holy Ghost," and regard the Bible as the only divinely-authorized record of the doctrines they are bound to believe. They hold that the Bible is to be understood and applied by spiritual aid, and have based their Christianity upon its truths and facts, under the illumination of the Spirit. But they have adopted no special theory of inspiration, and have expressed their belief chiefly in Scripture terms, whereby they have escaped serious theological difficulties.

The Friends accept in their fullest import the words that God loves "the world," while he hates sin. Many who have been lovers of their kind and have looked beneath the surface of things, have found themselves face to face with the sin and misery of their race, and have emerged from that dark shadow giving varying answers to the problems it suggests. Of such an experience George Fox wrote: "I saw that there was an ocean of darkness and death; but an infinite ocean of light and love which flowed over the ocean of darkness, and in that I saw the infinite love of God." Nevertheless, he did not weakly fly to any superficial view of the dread reality and fruits of sin. He and his associates had felt too profoundly "the immeasurable nature of the compunction awakened by wrong-doing—the total inability to forgive one's self—the sense of an evil that is irreparable and sin beyond all gauge,"* to deal lightly with either redemption or retribution. Their conviction was that through and by Christ an offer of salvation was made to all, and that the ultimate fate of each soul is determined by the acceptance or rejection of divine light and love. Believing in God as Creator and King, and recognizing his omnipresence in all the processes whereby the universe has become what it is, they prized above all his relation to men as a Father, to Jew and Gentile, Christian and heathen, who, though marred by the effects of sin, hereditary and personal, still have a child-likeness to him and are the objects of his paternal love and care. This love, ever outflowing, found highest expression in the coming of Christ, who, as the Word that was with God and was God, became flesh, bringing God and man into closest union. As one with the Father and with us he revealed him, by his words, his life, his spirit, his death, in which he was "the propitiation for the sins of the whole world." Yet Christ is ever the Word, who touches the moral and religious nature of man, imparting to all some knowledge of God, some discernment of the right, some recoil from the evil, some aspiration after the good, some power of grace over sinful tendencies, and, if received, some quickening of the sluggish or dead soul into spiritual life and communion with God. In this the Friends have kept the distinction between human faculties and the divine Spirit, between conscience and Christ, have maintained individual responsibility, the necessity of Christ's death

* James Martineau, "Types of Ethical Theory," Vol. II., p. 66.

and life to recovery from sin, and have met the demand of the moral consciousness for a concurrence of supreme love with holiness in the removal of personal guilt. To my apprehension they have thus offered the truest order of Scripture teaching, and to the utmost have justified the ways of God to men. In thus recognizing a universal offer of salvation from sin, there is no undervaluing of the duty to spread abroad the facts and truths of the Bible, for the spirit of Quaker Christianity, as shown in its first period and again in the present, is an earnestly evangelizing one. Assured of finding in every conscience a witness for the truth, the obligation to carry the noontide of Christian knowledge to those sitting in the glimmer that lies beyond it is felt to be imperative.

The same inclusive spirit is shown in the conception of the invisible church as consisting of all those who have been saved, or are being saved, from sin through Christ; and of a visible church as an association of like persons, who, having conscious faith in him, are joined together for worship, work, and witnessing. Though hitherto a small body, the Friends have the most large-hearted views of the church; and as to membership in it, with John Woolman they know no narrowness concerning sects and opinions, provided there are evidences of the reign of Christ in men's souls. Though thus inclusive, their standard of Christian experience is not a low one, but as Christ overcame all evil, so they believe that through his grace and the Spirit's aid victory over all wilful and conscious sin may be known, so that we may really love God and man in the full measure of our individual capacity. It seems to me that this is the true thought as to salvation, not an impracticable one, but worthy of God's offer and man's acceptance.

The mode of worship of the Friends is as simple as its ideal is true and its experience delightful to those that enter into it. It looks upon the few or the many met in Christ's name as permitted to know the "real presence" and headship of Christ, with access, individual and united, through him unto the Father in spiritual communion, without the necessary intervention of any minister or priest. The "liberty of prophecy" accorded in this manner of worship admits of edifying one another, of heart-felt, united prayer and praise, and the preaching of the Word. If its ideal is high, it is the more exacting that worshippers shall habitually walk in the light, following the master in close companionship. But as it depends so little on prearrangement, it is empty indeed

unless there be real life in the congregation. In this simple worship there is a unique feature—the privileges given to women. Christianity is the only religion that has placed women in a true position. The sacred friendship of our Lord for the sisters at Bethany and for the group of noble women that came up with him from Galilee to Jerusalem, with his hallowed love for his mother, prepared the way for this result and for the saying of Paul, “There is neither male nor female in Christ Jesus.” The Friends apprehend that devout believers of either sex may receive spiritual gifts for the profit of all, and that among these is that gift of prophecy which fits the recipient for speaking to others unto edification, exhortation, and comfort. They have, therefore, made room in their organization for the exercise of such gifts by women, and have proved that the use of this liberty is consonant with all that is best in womanhood. They have found inestimable benefits from acting out with quiet confidence what they believe to be the teaching of the Bible in this respect.

It is a like comprehensive view of Christianity that has led the Friends to regard the “one baptism” as that whereby all members of the church are, through repentance, faith, and consecration to Christ, baptized by the one Spirit into the one body. They conceive that to the church the risen Christ in his last commission intrusted “the word of the truth of the Gospel” in the power of the imparted Spirit, and that the means the church was to use in baptism is “the ministry of the word and prayer,” whereby others are brought into vital union with the Father, the Son, and the Holy Spirit, and all drink into one spiritual life. The true “communion” they find not in the reverent use of outward symbols, which they omit, but in welcoming the presence and pure reign of their Lord in the heart, so that in private devotion and in public worship the feast is kept, and they partake by faith of the body that was broken and of the blood that was shed for the many. “Believe and thou hast eaten,” wrote St. Augustine, and the Friend responds, “Amen.”

All Christians seek for guidance in duty from the Bible, providential circumstances, the counsel of friends, and the best use of their knowledge and judgment. To these the Friends add confidence in impressions of right made directly upon mind and heart. To walk in the light, and up to the light that Christ gives, is their ideal of a religious life. It leads to a strong sense of personal re-

sponsibility and of the sacredness of conscientious convictions. Perhaps it has been this more than anything else that has made them the van-guard in the struggle to secure freedom to every man to serve God according to his conscience, and to repudiate, from their origin, all persecution for religious opinions. I cannot but honor them for the victory won in this field through much suffering and some martyrdom, patiently borne, and for their share in handing down the heritage of religious liberty now enjoyed throughout the English-speaking world. Their love of liberty and of equal justice to all has given them "a genius for humanity," a sympathy with whatever has been best in free governments; and their principles, as expressed in the declaration of rights and laws of the Province of Pennsylvania, have had no inconsiderable influence in shaping the free institutions of America.

Intentness to act in harmony with the spirit of Christ has led them to anticipate or quickly to side with legal or moral reforms, and to have sympathy with the races subjected to oppression or looked upon as inferior. The reduction of capital punishment for crimes (once frightfully common in Great Britain), the reform of prisons, the abolition of the slave-trade and of slavery, the removal of the evils of intemperance, social purity, and the placing of all classes on an equality before the law, are among the movements in which they were pioneers or with which they were early and efficiently associated. As early as 1688 a written protest against slavery as unfit to be practised by Christians, was sent by some Friends from Germantown, Pennsylvania, to their superior meetings; and during the intervening period, until the abandonment of the system, they were among the most faithful in pleading for its suppression and the most Christian in the spirit of their protest against it. From its rise the Society of Friends has advocated great caution in the use of intoxicants, and it was the first Christian body to make the disuse of them a subject of disciplinary advice. It was a Friend who started "Father Matthew" on his beneficent crusade against "the drink," and up to the present time its influence has been persistent and active against the unspeakable miseries caused by the abuse of alcoholic beverages.

War has brought into exercise many heroic virtues, among them self-sacrificing courage in defence of the honor, the property, and the corporate existence of peoples. It has, doubtless, been the expression oftentimes of a lofty patriotism, and has been

providentially used or overruled to the advancement of the world. But human history has been largely written in blood: too generally war has been carried on in disregard of the sentiment of humanity, as well as of every other moral principle. To-day millions of men, forming the standing armies of Christendom, in the very prime of manhood, are withdrawn from productive industry and are supported by the toil of others. The severe labors they should perform are thrown to a degrading extent upon women; they are in a large measure debarred from the elevating influences of family life, are subjected to the idle vices of the barracks, debasing the populations around them and being debased by bestial passions.

The industries of Europe groan under the burdens these armies impose, until in Italy—the one Continental state from whose reports accurate information upon this subject can be had—the income-tax is 14 per cent. and the combined taxes upon the farmer equal 40 per cent. of the product of his land. Great nations, like France and Germany, armed with every device for slaughter that ingenuity can devise, and moved by ambition or revenge, stand ready to be hurled against each other. In the middle ages the Popes sometimes commanded a “truce of God,” to arrest such fratricidal strife. But to-day no European church but the Society of Friends lifts its voice in entreaty and protest, in Christ’s name, against such iniquity. When even philosophers like Spencer and Comte see that the military stage is a temporary one, through which peoples pass from barbarism to a true civilization, I cannot but rejoice to belong to a body that has confidence in the Prince of Peace, from whose teachings such philosophers have drawn their moral conceptions; that believes he is calling upon the church to condemn all war and to lead men, not into a cowardly devotion to money-making, but into labor in self-forgetting love to set each member of the body politic in his best estate, physically, mentally, morally, and spiritually. Be it that the time is far till this day comes, it is still well to labor and to wait with patient courage through the decades or the centuries till the end is gained.

The Bishop of Peterborough, in the *Contemporary Review* for January, 1886, vigorously defends the use of oaths by witnesses in courts and in other legal proceedings involving grave consequences; yet he desires that they should be abandoned. Moreover, with faintest hope, he looks forward to a time when men’s

words shall be as good as their oaths and the latter may be laid aside. The movement in this direction in Great Britain and America was begun by the Society of Friends, who believe that, although Christ recognized the rightfulness of legal oaths under the old dispensation, he distinctly forbade them in the kingdom of God he came to set up. During the last two and a half centuries the progress towards the end which the Bishop seems to regard as desirable has been a most hopeful one, and confirms a confidence that Christ's law of truth-speaking, "Swear not at all," was founded on a sure insight into our moral nature, and was intended to promote entire truthfulness, individual and national. To accept this view, and to be released from calling down a curse upon one's self in case, through infirmity, one should fail to speak the exact truth, wears to me the aspect of a privilege.

Doubtless the reaction of the Puritans against the license of their times was pressed to an extreme—a course sometimes necessary in righting great departures from the true standard of living; but they had intense moral earnestness, and a love of righteousness that made them lightly esteem a right eye if it stood in the way of its realization. While sharing in the wider view that it is safe to follow him who came, not as an ascetic, but as reverently enjoying his Father's bounties, there are some who still think that this means taking up the cross daily and maintaining simplicity in dress, manners, and modes of living. They judge that amid the abandonment to material success which marks our time it is well to keep the body under, and the soul's eye clear, by wholesome self-denial—a tradition among the Friends that some of us would not willingly let die.

For a long time the Friends have done garrison duty in defence, as they apprehend, of some truths overlooked by others; simply "holding the fort"; but within the last quarter of a century a spiritual awakening and power have come to them, and in all parts aggressive action is taking the place of quietism. In education, preliminary and collegiate, in authorship, in home and foreign missions, they have assumed an activity unknown since their early days, and their most thoughtful members are looking forward with the hope that they will continue to take part with their brethren of all the churches in extending the benign sway of the kingdom of God.

J. A. R.

NOTES AND COMMENTS.

I.

ICONOCLASM NECESSARY TO PROGRESS.

THE American is by nature and education an iconoclast. To this fact we owe nearly all our moral and material progress. Had we set out with the idea that the past is sacred, because it is the past, and that its relics and institutions must, therefore, be cherished and preserved, we would still be what we were just before the Revolution—a little cluster of provinces reflecting the ideas of feudal Europe. But, by cutting loose from the past and, when the need arose, destroying its institutions, we became what we are to-day, the most progressive nation on the face of the earth. The Revolution itself was a gigantic act of iconoclasm, which stamped us as barbarians in the estimation of Europe. The organization of a state without a religion was another act of iconoclasm, which surely ought to have called down upon us the vengeance of heaven, if the men who believed in the old order of things were right. So, too, the refusal to perpetuate many of the social customs and traditions of the past was an act of iconoclasm of which, in the opinion of Europeans, only vandals could be guilty. Nevertheless, we have gone right along prospering until at last many of those who began by denouncing us on this score are now beginning to think that iconoclasm may not be such a bad thing, after all.

Such being the case, it is hardly necessary for an American to apologize for this National Idiosyncrasy. It is justifying itself even in the eyes of our critics. But it is quite proper to call attention to the good that our iconoclasm has accomplished, in order to reassure the doubters. Many of us, in whom there is but small reverence for the past, are, it may be, secretly ashamed of the fact. We would not, of course, acknowledge it. But in our hearts we confess that we are really very terrible people; and although we go on being iconoclastic, we are oppressed with a sense of guilt. It is to remove that sense of guilt, made heavier, perhaps, by the recently-observed centennial of Washington's inauguration, that I write these lines. It is well, of course, to remember the good that has come to us from the past, and to venerate the names of its heroes, martyrs, and saints. But as for its traditions, usages, institutions, and material remains, the only question with us should be, What use are they to us? If they serve any good purpose in the world of to-day, retain them; if not, destroy them, no matter how closely they are linked with some great name or some mighty epoch. The world of to-day is for the men and women of to-day, and not for the pallid ghosts of the past. Destruction and revision are the two most potent weapons of progress. By destroying what is useless and bad, and by revising what is capable of improvement, we clear the way for the newer thought of our own age, which is capable of adding to and enriching the heritage of the past. Only thus does material and moral progress become possible.

As may easily be inferred, I have, personally, very little veneration for relics of the past. I can see no use in them except the gratification of a morbid sentimentality. I would not give a nickel for the most authentic relic of the most famous saint that ever lived. And the false teeth of Washington, which, I believe, some one treasures as a precious relic, would excite in me nothing more than a feeling of disgust. Still, the lover and collector of such relics is comparatively harmless; his folly affects nobody but himself and his friends; and so we may leave him to his fad, only regretting that so much intelligence is wasted in amassing and gloating over a lot of trumpery stuff of no intrinsic value whatever.