

# THE VIRGINIA TEACHER

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## EDUCATIONAL COMMENT

### SOMETHING ABOUT SCHOOLBOOK PIRACY

The work of an author usually implies originality, research, and literary skill. In recognition of the fact that a service thus performed constitutes a contribution to the cause of civilization, the several countries of the world encourage authorship by distinguishing its products as property which is entitled to the same measure of protection accorded to all other forms of property. Thus the copyrights issued by governments covering books and magazine literature, plots, plays, engravings, become certificates of ownership, established by custom and law, and internationally observed, as well as nationally.

The reputable publisher not only respects the copyright law, but is anxious that the author does not violate the rights of his fellow authors. And yet the invasions upon the rights thus established occur only too frequently, either in the form of outright plagiarism or in some form of altered reproduction.

The violations of the copyright law have manifested themselves in the school field of this country in a somewhat peculiar way.

A new book comes off the press. Sample copies go to the school public. Its merits are recognized. The author has produced something which excels all other similar books. But what happens? Is there an honest purchase of a number of books sufficient to supply the student class? Would anyone attempt to pilfer the contents of the book, or at least to pilfer the part of the book that is deemed most valuable? The several questions are answered by submitting the following typical case:

A representative of an educational publishing house recently presented a copy of a new book to an instructor with a view to securing its adoption in the particular school. The instructor pronounced the book as being wholly unsuited for his class. He explained that he had himself prepared a set of lessons, and hence did not require a textbook of any kind.

When the representative insisted upon seeing the reproduction, he discovered that the text had all been copied verbatim from the very book he had just presented. The instructor had, by means of reproducing devices, produced seventy copies of the main problems of the book, and thus supplied his classes with the latest textbook material. Other instructors in other cities have done the same thing; in fact, it has become the common practice of certain schools.

The instructor may defend his action upon the plea of economy, and at the same time pride himself upon having ingeniously circumvented the author and publisher. And yet the conscientious instructor will interpret such an action as an underhanded theft. If the author, who has spent time, thought, and labor upon his book, is entitled to a royalty, and the publisher, who has invested his capital and energy in its production, is entitled to an earning, then the instructor's "stolen" textbook pages constitute nothing more nor less than an infraction upon property rights.



According to the testimony of publishers' representatives, the practice of pilfering modern textbooks is growing rather than diminishing. While the practice, as already stated, is confined to certain schools only, it is, nevertheless, reprehensible and should be discountenanced wherever it asserts itself. The instructor may not appreciate the fact that the contents of a textbook, as well as the book itself, represent property rights which must be respected. The fact is that the author is a fellow instructor who is as much entitled to his book royalties as is the instructor to his monthly salary.

The owner of copyright has a remedy at law in that he may secure an injunction restraining infringement, and also sue for damages. The more serious part, however, of the copyright law is found in the criminal statute by which it is made a misdemeanor to wilfully infringe upon the work of an author. Such infringement is punishable by imprisonment not exceeding one year, or a fine of not less than \$100, nor more than \$1,000, or both, in the discretion of the court.

The law also includes in an action all persons who have wilfully aided and abetted the offender. Thus, if an instructor is charged with pilfering copyrighted material, those likely to have knowledge of the offense, such as the president of the board of education, the superintendent of schools, the supervisor or principal, may be included in the action. If the violation of the law is carried on with their knowledge and consent, they become a party to the misdemeanor.

The authors and publishers, who have been exposed to the purloining of textbook contents, have thus far accepted the situation somewhat complacently. But the prediction has been made that the day is not far distant when legal steps will be taken to stop a reprehensible practice and compel a proper respect for the offerings and the rights of author and publisher.

It is not likely that the school adminis-

trator will tolerate unethical conduct on the part of his subordinates in the matter of textbooks any more than he would tolerate such conduct in any other school activity. If a school is to stand for high ideals, then integrity and honor must be exemplified by everyone connected with the same.

—*American School Board Journal.*

### THE SCHOOLMASTER

Sail your argosies far and near;  
Build a highway and harvest a fen,  
Raise your derricks and rig your gear—  
But I make men.

Toil at the loom, the bench, the mart,  
Wield a hammer, or write with a pen,  
Mine is to fashion the human heart—  
For I make men.

Of babies born and of cradled joys,  
Of lads that look with a wakening ken,  
Of God's own infinite files of boys—  
Do I make men.

When as a scroll the land and sea  
Pass, and the books be opened, then  
God in mercy be kind to me—  
For I made men.

—C. S. HOLDER,  
*in the Teachers' World (London).*

The world's just burst open like a kernel of popcorn. I used to be a fair-to-middling crop grower with a sideline of killing rattlesnakes and shooing away hawks. But now I'm a mechanic, a chauffeur, and a business man besides. I used to plant my crops because they had always been planted that way, and now I read a book about it. . . . They used to say you can't teach the old dog new tricks, but the way I figure it, the old dog has his choice of learning or starving. And there's no argument about learning being more fun than a husking bee.

—*Minnesota Farmer.*