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Letitia Elizabeth Landon, depicted by J. Wright, 1837
The Magical Letters L.E.L.

F. J. SYPFHER

Such, to her contemporary admirers, was the attraction of the poetry of Letitia Elizabeth Landon (1802-1838) that the initials L.E.L., which she customarily signed to her poems, became known as "magical letters." Literary fashions fade, but, although her initials are today recognized by few, and her works read by still fewer, L.E.L. occupies among British writers of the early nineteenth century a respectable rank that is both firmly established and genuinely deserved. The Rare Book and Manuscript Library is therefore fortunate to possess three of L.E.L.'s manuscripts, each of them in its own way representative of her life and work.

Reasons why L.E.L. is not today widely known are readily apparent. To begin with, she wrote at a period of unparalleled brilliance in English poetry. The names of Wordsworth and Coleridge, of Byron, Shelley, and Keats, not only tower above those of their British contemporaries, but also stand out boldly in the panorama of English literature. Inevitably, therefore, these names diminish the relative standing of their lesser contemporaries. Furthermore, like many nineteenth-century authors, L.E.L. wrote and published a great deal. Her collected poems run, in one edition, to 560 pages. There are also countless other works, published and unpublished, including poems, novels, stories, criticism, a tragedy, prose sketches, translations from French and German, letters, and journals. In the absence of a book of selected pieces (an omission I intend to rectify), one must mine quantities of now charmless versifying in order to uncover jewels of real poetry. The effort is well worth the rewards, but few readers have inclination, time, or patience for such excursions. Also, like her gifted contemporary Felicia Dorothea Browne (Mrs. Hemans), Letitia Elizabeth Landon was something of a literary prodigy, who began to compose poetry as a child and started publishing while in her teens. Although her
early work possesses fluency, the sentimental themes and exotic settings seem more like imitations of prevailing literary fashions than like expressions of a distinctive poetic point of view. Yet it was necessarily on early poems of transitory value that her fame chiefly rested, at first. Furthermore, many of L.E.L.’s verse narratives and lyrics were designed to ornament the literary annuals and gift books which flourished in the 1820s and 1830s, but as these volumes went out of style, writers like her, whose productions had been shaped by and composed for this medium and its audience, also suffered a decline in reputation.

In the 1830s L.E.L. tried to adapt to the changing literary climate by turning to prose fiction. But her work could not, and cannot, compete with the variety of scene and ingenuity of plot served up by the energetic genius of, say, her friend Ned Bulwer, not to mention Dickens and others. Nevertheless, L.E.L.’s three-deckers, with their faithful presentation of social milieu, sharply phrased conversations, and penetrating emotional analysis, possess enduring interest.

Although L.E.L.’s accomplishments have been overshadowed by those of her great contemporaries, she has never been forgotten: in England, her poems were still being reprinted many years after her death, and important editions appeared in the United States too. More recently, biographers such as D. E. Enfield (1928) and Helen Ashton (1951) have been inspired by the romantic interest of L.E.L.’s personal history. After years of supporting herself and her relatives on the income from her literary efforts, in 1838 she married George Maclean, governor of the British post at Cape Coast, West Africa (in present-day Ghana). Soon after their marriage, she left the fashionable London scene and with her husband sailed down to take up residence in a grim old trading fort of a kind that is seen all along the ‘Guinea’ coast. In the prison-like setting of Cape Coast Castle, with its lonely, isolated situation and its gruesome memories of the slave trade, L.E.L. died, like a character in one of her own fictional imaginings, or forebodings, on October 15, 1838, at the age of thirty-six, only two months after
her arrival. The curious traveler can see her tombstone today, set in the paving of the court, near the time-stained ramparts of the Castle, behind a battery of old cannon that amid heat and haze lift mute muzzles to the African surf.

L.E.L.’s death was officially recorded as having been caused by an “overdose” of prussic acid. There was, however, a distinct feeling that it might have been suicide rather than an accident. Beyond this, there were persistent rumors that it might even have been murder, engineered perhaps by her husband’s former mistress, an African woman, or maybe even by her husband himself. On the other hand, it has been suggested that she may have died of a heart attack or stroke brought on during one of the “fits” or “spasms” she was subject to, and for which she apparently took small doses of prussic acid as a remedy. The rumors eventually quieted down, and there were no further official inquiries beyond the brief inquest that took place at Cape Coast.
Murder seems to me a possibility so remote as hardly to deserve serious consideration. Accident, suicide, or illness offer more persuasive explanations. The question of L.E.L.'s death is, however, unlikely ever to receive a simple, final answer. For one thing, the available evidence, published and unpublished, contains too many uncertainties and contradictions. More important, human events are usually made up of a mixture of causes and intentions far more complex than narrow verbal or adjudicative categories admit. During her weeks in Africa, L.E.L. was living under severe stress, trying, under exhausting conditions of social isolation, heavy domestic responsibility, and physical discomfort, to adapt to the demands of a marriage that was at best uncongenial and oppressive, at worst perhaps fatally destructive to her. Her anguish was all the more intensified by her extreme sensitivity and conscientiousness. It seems highly significant that she died moments before the scheduled departure of a ship destined for England, with letters of hers on board. One is inclined to put aside questions of intent and physiological cause and conclude that she died of grief or of a broken heart. This may be the most fitting key to the mystery of L.E.L.'s death.

One cannot help being moved by the circumstances of L.E.L.'s death, but her history deserves to be remembered on other grounds than its gothic fascination: there is a social context to her story. Her unsuitable marriage can be regarded as a desperate grasp at material security on the part of a woman worn out with years of struggling to make her way alone in the brutally competitive world of literary London, her end a bitter commentary on the options available to her.

One of the despotic requirements of the London literary world was constant attendance at social events, something L.E.L. shone at but inwardly scorned and feared. An item in the Library’s collection is a reminder of this part of the author’s life: a finely engraved and embossed personal card, with “Miss L. E. Landon” printed in the center of an ornamental border, and inscribed in her hand: “Friday evening. March 31st / Quadrilles 9 o’Clock.” The quadrille was
a kind of dance that was in vogue at the time; the year was possibly 1826. Perhaps the occasion was a "little quiet dance" of the kind she was said to be "fond" of. Or perhaps it was a more splendid event, like the "fancy-ball" that she and her friend Emma Roberts gave, at which many literary figures appeared, including "Mr." Edward Bulwer (as he was still styled), Rosina Wheeler (soon to become Mrs. Bulwer), Miss Spence, Lady Morgan, Miss Benger, Miss Webb, Father Prout, Jane and Anna Maria Porter, Julia Pardoe, Mr. Jerdan, Dr. Maginn, Theodore Hook, Mrs. Trollope, and others recalled by Mrs. S. C. Hall (Anna Maria Fielding) in her "Memories." One can easily imagine at L.E.L.'s London address, 22 Hans Place, a gathering such as might have figured in the pages of her novel *Romance and Reality*. 
If “romance” reflects the hope and enthusiasm generated by the pleasant social occasion, “reality” is the need to make money so as to pay the expenses of giving the party and of having elegant stationery printed. The more mundane concerns of the literary life are exemplified in a hastily jotted, undated note to “W. Jordan Esq—,” for whose *Literary Gazette* L.E.L. wrote frequently, both as a contributor of poems and as a reviewer, an essential part of her “bread and butter” line of writing:

Dear Sir—

So many thanks—an order if procurable—would be very gratefully received—sent here—I have had nothing from you this week? are there no books—I see so clearly the error of “butting”. I shall be so positive in future—and write over my articles “no questions asked here”.

Yours very oblig’d
L. E. Landon

The spontaneous, colloquial phrasing, the apology and witty offer of accommodation, all illustrate the characteristic charm of the author’s letters. (The pre-positioned question mark is printed as it
appears in the manuscript, and does not represent an editorial query.) Equally characteristic is the sense of urgency beneath the bright surface of words.

Finally there is at the Library a manuscript of a poem of forty-four lines titled, "The return." The poem appears in The Keepsake for 1831 to accompany an engraving of a picture by J. M. W. Turner titled Nantes; like many of L. E. L.'s poems, it does not appear in the collected editions. It is an example of the sort of writing that L.E.L. cranked out in quantity, this specimen for the most part neither much above nor much below her average standard. A monologue is spoken by a traveler returning to his native city. According to the headnote, "he left it poor, but he came back rich, and the home of his youth was again to be the home of his age." Much of the verse is thoroughly conventional, both in sentiment and in language, as: "And I have learnt life's dearest things / Are those which never wealth could buy." But in the final stanza we read:

Oh for some voice I used to hear
The grasp of one familiar hand,
So long desired, and now so near
On boatmen on, I long to land.

In these lines one can begin to hear the accents and tone and themes of L.E.L.'s best poetry. And beyond, one hears an anticipation of some of the best of Tennyson (see "Break, break, break," for example), another writer who began by composing for the annuals, and who in his early years had undoubtedly been, like many of his contemporaries, more than a little enchanted by the undying "magic" in the voice of Letitia Elizabeth Landon.
Not Merely a Novelist

H. G. Wells’s Relations with Paul Reynolds

ROBERT A. COLBY

George Bernard Shaw once proclaimed to H. G. Wells, with no false modesty: “This is the age of us.” It was the good fortune of the pioneer New York literary agent Paul Revere Reynolds to have numbered both of these popular, colorful, and versatile men of letters among his English clients. [For Shaw, see *Columns*, May 1989.] The first letter from the extensive Wells-Reynolds correspondence housed in the Rare Book and Manuscript Library is dated September 20, 1905, and is addressed to various lecture bureaus in the East and the Midwest:

> Mr. Wells, as you know, is a man whose work has attracted the same attention as that of Jules Verne, as it combines a knowledge of modern science with a brilliant scientific imagination. He is not by any means merely a novelist, but is one of the most original and valuable [sic] forces now at work in the realm of speculative sociology.

Ten years earlier, Reynolds had acted as American distributor of Wells’s devolutionary fantasy *The Island of Dr. Moreau*, representing the author’s English publisher, Heinemann. At this time Wells, looking ahead to his forthcoming first trip to America, where he hoped to expand his markets, approached Reynolds directly to secure lucrative lecture engagements for him. Not surprisingly, although Wells by now was best known for his sagas of outer space, Reynolds made more of his author as polymath: “You understand that Mr. Wells is one of the brightest writers at present before the public,” he wrote to a Mr. Glass of the Pond Lyceum Bureau in New York City (December 6, 1905).

This effort to package Wells as a Jules Verne, Thomas Henry Huxley, and Herbert Spencer rolled into one did not succeed. Wells
overestimated his market value; he asked for five hundred dollars a lecture, but the impressarios of the lecture circuit were not willing to go beyond $150. Besides, he would not make himself available in the fall, their peak season, and was unwilling to advance funds for advertising, as requested, or to provide promotional circulars.

Nevertheless, Wells’s tour of America from March through May of 1906 was a personal triumph for him. He was invited to lecture at a number of universities, met Jane Addams, Theodore Roosevelt, and Maxim Gorky, and while in New York was so completely engaged that he could spare his agent only a half-hour visit. According to his biographers Norman and Jean Mackenzie, he found America a welcome relief from “the constraints of English society.” And he became one of Reynolds’s most favored clients. In one especially warm letter expressing his admiration for Tono-Bungay, Reynolds added: “Utterly apart from any money I make
out of it... I can read [your work] and feel that I am justified because it is my duty to read the book, and at the same time have a keen sense of pleasure, a thing that does not happen as often as one could wish’’ (November 25, 1908). Reynolds had encouraged Wells in the writing of *Tono-Bungay* at an early stage, when the author sent him the first chapters in manuscript: “I have read Tino [sic] Bungay and I was very much interested in it. The description of the hero and the town in which he lived, his mother, etc. all seem to me wonderfully natural and good,” Reynolds wrote on April 23, 1906. Before submitting this novel to publishers, however, Reynolds suggested that Wells wait until he finished “the sensational element of the story,” for the magazines then were “looking for something which will increase their circulation and make their readers sit up (as the slang expression of the time goes).” Three days later Reynolds wrote to Wells, who was in Chicago: “There is so much attention directed just now to patent medicines that I think the story could be placed all right.” Ironically, the book that Wells himself regarded as his “finest and most finished” was rejected by several American magazine editors to whom Reynolds offered it. (In England it made its debut in Ford Madox Ford’s elitist *English Review.*) Out of patience, Wells, to Reynolds’s consternation, decided to transfer *Tono-Bungay* to the English agent Curtis Brown, who eventually effected its sale in America in a cut-down version.

Reynolds’s negotiations over Wells’s fiction generally followed a bumpy road. As with Shaw, there were tangles owing to transatlantic publication, but with Wells particular difficulties arose out of his controversial subjects. Several months before Reynolds met Wells, his socio-scientific novel *In the Days of the Comet* began to appear serially in *Cosmopolitan* by arrangement with his English agent. Prior to his sailing for America, Wells wrote indignantly to Reynolds from Spade House, Sandgate: “The book rights... are being hawked about New York. Who is doing this?” (March 4, 1906). Reynolds did not know, but proceeded with his charge from Wells to represent him with the New York publishers in order to head off the hawkers—the real beginning of their long association.
He first offered the book rights to Macmillan. On April 26 he wrote to Wells in Chicago that George Brett of that firm was interested but felt that Wells’s views on marriage “would not satisfy the American people.”

Obviously it was not the fantastic element of the sanity-inducing gas emanating from a distant comet that bothered Brett, but the design-for-living arrangement that concludes the novel, involving the clerk hero, a wealthy rival, and a young lady beloved by both. In a postscript to a letter mailed two days later from the University Club, Boston, Wells came to a vigorous defense of the morality of his latest book:

Re Brett and the Marriage Question—will you try him again? I don’t want it to begin to be thought that I advocate “free love” & I want you to put your foot down firmly upon that. If you will read the end of the story… you will see that the relations of the people concerned are not definitely shown, that they are left vague & that it is merely suggested by me free and noble…. It will go far to ruin me in America if this work gets tainted with nasty imputations. I no more advocate “free love” than an artist who paints the judgement of Paris advocates nudity in a trolley car.

Brett proved unmovable, and after Reynolds tried several other publishers in vain, the auction narrowed down to Century and the new firm of Doubleday. Reynolds advised Wells to join with Doubleday, “one of the smartest men in the business” and also known to be aggressive in advertising (April 26, 1906), but Wells, always his own man, chose Century, who offered him a larger advance.

From his experience with *In the Days of the Comet*, Wells came to value Reynolds’s unhesitancy about handling his “difficult” books. “Here is something you might be able to do,” he wrote from 17 Church Row, Hampstead, on February 7, 1910. “I have written a long novel of English political life, *The New Machiavelli*. … The American serial rights are open. They’re not worth very much. The work is rather indelicate by American standards & very English & as a juncture of English political life & public school & university education it knocks Mrs. Humphrey [sic] Ward into a cocked hat.”
He slyly added that his new book has "a strong love interest as outspoken as any in *Tono Bungay*." He was referring to the central situation—the hero deserts his wife and forsakes his political career to live with his mistress—that for a time had proved a stumbling block to publication in England. *The New Machiavelli* was close to Wells's own private life, his current lady love Amber Reeves, already represented in the notorious *Ann Veronica*, also figuring in the later book. This time Reynolds found ready reception. He cabled to Wells on February 18: "RUSH COPY MACHIAVELLI." The prestigious *Forum* had accepted the story for publication to begin the following May at a fee of $750, lower than Wells was used to getting but higher than he had expected for what he admitted was strong meat for the magazine public. The rush to publication was due to the *Forum* editor's determination to run the story neck-and-neck with its concurrent publication in the *English Review* and to antedate the American book publication scheduled for the following October.

Wells never shrunk from self-promotion. "So glad you like *Marriage*," he wrote to Reynolds in reference to another of his "advanced" novels. "The next will be better still" (October 5, 1911). *Marriage* quickly found a home in the *American Magazine*, a Hearst publication, but for subsequent works he miscalculated the market. At the suggestion of the publisher Dutton he had to change the title of a book called in manuscript "The Atom Liberates the World" to "The World Set Free." This new title, Reynolds explained, "piques curiosity...people want to know how the world was set free, while the other title has a mechanical sound and would hurt the chances" (November 25, 1913). While *The Research Magnificent* was in progress, Wells wrote to his agent: "I am writing another of my long and this time most picturesque and magnificent books, beyond question finer than anything I have done, and of an almost universal interest" (June 19, 1914). This philosophical novel, which Wells prized to the extent of sending Reynolds a full scenario, proved more resistible by magazine editors. "I quite understand your difficulties with *R.M*. I am giving you a lot of not very profitable work just now I know," Wells wrote from his London
Frontispiece illustration to the second part of Wells's novel *Marriage*, which appeared in *The American Magazine*, December 1911
Robert A. Colby

flat. "Patience! Don't you think R.M. might go (at a smaller price) into one of the 'brainy' periodicals like The New Republic?" (April 12, 1915). Eventually Wells had to settle for the prestige of book publication by the tried-and-true Macmillan. Two projects submitted to Reynolds, one tentatively titled "The Last Secret of Nature," involving, among other things, a captured South American dinosaur running amuck in London, the other centered on a journalist preserved by suspended animation who visits New York City in the twenty-fifth century, seem not to have progressed beyond the outline stage.

Wells was of course "not merely a novelist," as Reynolds had tried to impress on the lecture bureaus. Particularly with the advent of World War I, he, like Shaw, was eagerly sought out as a pundit by American magazine and newspaper editors, though, as Reynolds found with Shaw, they frequently had to take Wells at second hand. When he had to sell an article that had already appeared in an English magazine, Reynolds complained in a letter to Wells, "the whole thing is done under a certain amount of pressure in regard to time, and when you are under pressure in regard to time, you are under pressure in regard to price." He proceeded to try to persuade his client to write original articles on such topics as socialism, feminism, marriage, and population, for which he could guarantee higher prices in America, with prospects for additional fees in England. Wells proved more forthcoming than Shaw. There followed three series: "The Peace of the World" in The New York Times, "What the War Is Doing for Women" in the Ladies' Home Journal, and "Anticipations of the World after the War" in the Saturday Evening Post (published subsequently in book form as What Is Coming? Essays in Prophecy). Because of the "hot" nature of these subjects, editors experienced deadline anxiety: "If you can get the articles to me sooner, they say it will save them all from heart disease," reads a penciled note by Reynolds at the bottom of a letter (February 3, 1916).

In the midst of negotiations over another commissioned series on "how people of the world would be living ten, twenty, or fifty years
hence," Reynolds was informed by Wells that he was no longer interested in orders for articles, and was requested to look into the market for short stories. Two months later, on September 14, Reynolds received this message: "Will you please note the following remark? DAMN SHORT STORIES!"

By now Wells was all afire with an offer that had come his way to tour the Italian, French, and British battlefields that afforded opportunity to meet generals and heads of state. As he informed his agent in a letter from his London residence dated September 19, 1916, he was ready to set down his impressions, expected to finish the first one by the end of the month, and hoped to publish them as a series in America "weekly or fortnightly as you can arrange." Reynolds was able to place these dispatches from the front, practically as soon as they arrived, in the Saturday Evening Post, Everybody's Magazine, The New York Times Magazine, and The New York American. With the last, a Hearst paper, an embarrassment
ensued. On December 3, 1916, shortly after a piece by Wells on reverses in France appeared, Reynolds wrote to the author that the British government had cut off Hearst and his International Service from the use of the Reynolds agency’s cables “owing to his repeated and flagrant garbling of war news.” Wells was especially incensed upon learning that his own name was being flaunted as Hearst’s own “special war correspondent.” At the top of Reynolds’s letter he scribbled: “This is a damned nuisance. Will you jump in at once & get apologies. Please stop any further sales to Hearst papers.” Two days later he followed through with this cable:

CARBONATO
NO DEALINGS WITH HEARST.
WELLS
Reynolds complied. Shortly afterward he forwarded to Wells an apology from the Hearst office.

Offers continued to pour in—from Cosmopolitan for an article on women’s postwar status and from the Ladies’ Home Journal for a series on the failure of radical feminism, among numerous others—but Wells decided again to take an indefinite recess from articles once his “Front Book” was finished, and this time remained adamant. From this point, active negotiations between him and Reynolds were in abeyance. During the 1920s while Wells was extending his fame as popular historian, utopian, and champion of international brotherhood, Reynolds served him mainly as conduit for requests for reprint rights and transmitter of royalties. (The Island of Dr. Moreau, the first novel Reynolds placed for him here, remained a steady seller.)

Their relationship remained cordial, if never intimate, but was certainly not free of vexations. Wells’s difficult handwriting, tardiness in submitting copy, and expensive corrections irked editors. His willfulness, money grubbing, and stinginess (balking, for example, at being charged for cables and postage) tried Reynolds’s patience. Wells for his part was frustrated in his attempts to get Reynolds to place the work of various literary New Women who figured in his life—Amy Catherine Robbins, a student who became his second wife; the young Cambridge Fabian Amber Reeves; and latterly the greatest of them, Rebecca West. When Reynolds, after some delay, asked for West’s address, Wells replied: “Why didn’t you take my advice when I gave it you?” (April 30, 1918). “I never met such a chap. I could not survive meeting such another,” was Shaw’s verdict on his fellow Fabian. Reynolds’s is not recorded, but he might well have agreed with Shaw.

Permission to quote from H. G. Wells’s letters has been granted by the trustees of the H. G. Wells Literary Estate.
Casanova and Nicholas Murray Butler in the Dock

J. D. S. ARMSTRONG

Lascivious, lewd, and disgusting: According to the New York Society for the Suppression of Vice, Arthur Schnitzler's novel Casanova's Homecoming was all of these and more. In 1922 the Society launched its crusade against this work, hounding the book in and out of the courts for eight years. The Society was finally defeated by an unpublished 1930 decision of the Magistrate's Court which finally cleared the book as legally wholesome. The Rare Book and Manuscript Library's recent acquisition of a collection of papers from the 1930 proceeding offers an evocative glimpse of the mire into which the jurisprudence of obscenity had fallen in the first part of this century, and of the milieu in which literary obscenity cases were fought.

The papers consist of the legal brief and supporting materials submitted by defense counsel, and two typewritten drafts of Magistrate Gottlieb's unpublished decision in the matter of Sumner v. Simon & Schuster. Through these pages parade Morris L. Ernst, John S. Sumner, Thomas Seltzer, H. L. Mencken, Sinclair Lewis, Theodore Dreiser, Heywood Broun, and, at some remove, the redoubtable Nicholas Murray Butler. The cast of characters thus assembled includes some of the most notable figures in the world of obscenity law, as well as some renowned for other reasons entirely.

Morris L. Ernst, who represented the defendant publishers Simon & Schuster, was already the country's leading obscenity defense lawyer. Born in Alabama in 1888, he had attended New York Law School as a night student and gone from selling furniture and clothing to partnership in his own high-priced law firm, a prolific writing career, and the advising of numerous Democratic elected officials including Presidents Roosevelt and Truman. Four years after the final clearing of Schnitzler's Casanova, Ernst would
John Sumner (center), who headed the New York Society for the Suppression of Vice, oversees the burning of confiscated literature in 1935 shortly after Sumner vs. Simon & Schuster.

go on to defend the famous Ulysses case, making legal and publishing history. The Casanova defense materials illustrate the general approach he was developing to the defense of artistically meritorious works such as were generally brought to him for assistance.
John Sumner had brought the complaint against Simon & Schuster and was thus their nominal adversary in these preliminary stages of what was, after all, a criminal proceeding. Sumner had succeeded Anthony Comstock as Secretary of the New York Society for the Suppression of Vice, and in that capacity he made a busy career out of tracking down obscene materials and seeking their criminal prosecution. Nor was this precisely thankless work: by a curious arrangement, the Society received a portion of each fine levied in the successful prosecutions it instigated. Moreover, a special act of the New York State Legislature had bestowed special police rights of search, seizure, and arrest on the Society’s agents. Mr. Sumner’s, therefore, was no backyard operation, but a powerful and persistent threat to publishers and booksellers.

Thomas Seltzer had published the 1922 edition of *Casanova’s Homecoming* that had initially drawn down the ire of Sumner and his Society. A complaint was lodged in Magistrate’s Court (the same procedure employed in the case against Simon & Schuster) alleging the obscenity of *Casanova’s Homecoming* and of D. H. Lawrence’s *Women in Love*, also published by Seltzer. The edition complained of had been produced for subscribers in a limited edition of 1,250.

On September 30, 1922, New York City Magistrate George W. Simpson issued his opinion that *Casanova* was not obscene, and publication resumed. Larger printings came out later in 1922 and in 1923; the copy in Columbia’s general collection was bought from this latter printing.

But the Society was determined to continue its action against this particular book, and sought indictment of Seltzer by a grand jury. The grand jury duly indicted, and Seltzer’s attorneys moved to block further proceedings by appealing to the Supreme Court of the State of New York, Special Term (a court of lowly jurisdiction, but not as lowly as a magistrate’s court). In January 1924, in *People v. Seltzer*, Judge (later Senator) Robert Wagner announced in a remarkably chauvinistic and paternalistic opinion that he could not rule as a matter of law that *Casanova* was not obscene; both the state
and the defendant deserved to have the matter decided by a trial jury.

Thus, after having been cleared of obscenity by a magistrate's court in 1922, Seltzer found himself in 1924 on the eve of a full-dress criminal trial over the same book, *Casanova's Homecoming*. But as it turned out, the trial was never held. Discouraged by the turn of events and pressured by the Society, Seltzer withdrew the book from circulation, and the indictment was dropped. In 1930, Simon & Schuster reprinted *Casanova's Homecoming*, and the action in Magistrate's Court with which we are concerned was initiated, the third action undertaken against this book by Sumner and the New York Society.

The little object of so much fear and loathing seems, predictably, completely tame today. *Casanova's Homecoming*, a short novel, bitter and yet civilized and graceful in tone, follows the aging Casanova through about a week of the frustrations and disappointments that, Schnitzler gives us to understand, dominated the famous seducer's declining years. To be sure, there are two episodes within the narrative that stand out as examples of the absurd and unseemly situations into which the aging Casanova's delusions lead him. In the first he seduces or even, to all intents and purposes, rapes his host's thirteen-year-old daughter during the few minutes when she comes to his bedroom to summon him to join the family for dinner. In the second, the decrepit old Casanova creeps in shame from the bed of the beautiful and virtuous young woman with whom he has deceitfully spent the night in the guise of another, under cover of darkness. Shortly thereafter, there ensues a naked duel to the death between Casanova and the young lover he impersonated, during which Casanova flatters himself upon what a delicious sight this duel would make for the eyes of certain women.

The case itself made no new law. The statute invoked by the Society, New York Penal Law Section 1141, was one of the now infamous Comstock Laws, enacted in the 1870s as a result of the efforts of the anti-obscenity activist Anthony Comstock. A major problem with these laws, from a publisher's or bookseller's point of
view, was the vagueness with which the criminal behavior was defined. The terms used to delineate the proscribed material—obscene, lewd, lascivious, filthy, indecent, disgusting—were all
inexact and subject to infinite subjective interpretation. In later years this vagueness was perceived to have frequently unacceptable repercussions on the constitutional rights of potential offenders. But in the 1920s, courts and defendants alike were concerned merely with the practical difficulties of worrying a usable standard of obscenity out of the words of the statute.

The Casanova's Homecoming case arose during a period when the most widely applied standard was that enunciated in 1868 by Lord Chief Justice Cockburn in the English case of Regina v. Hicklin. Under the Hicklin test, whether a work was obscene depended on "whether the tendency of the matter charged as obscenity is to deprave and corrupt those whose minds are open to such immoral influences and into whose hands a publication of this sort may fall." Another important feature of the Hicklin standard was that it permitted particular paragraphs or passages of a work to be considered in isolation if those passages might, when read alone, have the requisite potential for corrupting the most corruptible members of society.

The Hicklin test was not substantially altered until the famous Ulysses case of 1933. In the Ulysses decision, the scrutiny of isolated passages for their potential to corrupt the vulnerable was at last rejected in favor of a requirement that the work be assessed as a whole. Once this change had been adopted by the courts, the effect was to reduce the preoccupation with the "vulnerable" members of society—the feeble-minded, children, and so forth—since it was assumed that they would not bother to wade through an entire work of some weight in order to get at the particularly corrupting passages. Instead, the effect of the book on people of average sensibilities was to be considered, a sort of "reasonable man" approach to obscenity.

Since the Casanova case transpired under the reign of Hicklin, the defense mounted by Ernst reflects the traditional approach to obscenity defense. However, the strains under which the law in this area was developing can also be seen in certain of the points raised. Falling into the trough of cases between the landmarks of Hicklin
and *Ulysses*, the 1930 *Casanova* case is interesting primarily as an illustration of the law dissatisfied with itself. Several significant cases since the turn of the century had indicated that the nation’s courts were uneasy with the widening discrepancy between what the obscenity laws condemned and the social and sexual mores prevalent in at least some American communities. In later years, Ernst himself condemned the disrespect for the law which ensued, and drew a parallel with the nullifying effect of Prohibition, which, coincidentally, was repealed the same week that the *Ulysses* decision changed the face of the obscenity law.

Already by the time of *Casanova*, judges in obscenity cases were increasingly likely to allude to the changing moral standards of the
community as a condition that should be recognized and accommodated rather than resisted and condemned. Accordingly, Ernst included in his defense the assertion that the community had already accepted *Casanova's Homecoming*. The indexes of community acceptance adopted for the defense account for the rest of the names introduced at the outset of this essay. First and foremost in his defense Ernst emphasized repeatedly that Columbia University, "the leading educational institution of America," had approved *Casanova's Homecoming* by citing it, within an eighteen-volume course devoted to world literature, as "a classic, essential to a liberal education." In his brief, Ernst quotes at length from Nicholas Murray Butler's introduction outlining the aims of said course, and emphasizes the Columbia imprimatur yet again, calling the Court to witness "that President Butler of Columbia University cannot be called a supporter of pornography."

The other names on the list figure among the novelists, journalists, and other prominent individuals whose favorable opinions were brought in to bolster a favorable disposition toward the book. H. L. Mencken's letter was terse and, of course, salty, referring to the suppression attempt as "of a piece with Sumner's other grotesque buffooneries." Mencken encouraged Simon & Schuster to seek heavy damages against Sumner once his prosecution failed, as Mencken himself had contemplated doing when *The American Mercury* had been suppressed in Boston.

Sinclair Lewis lent his support in a letter that included a call for the investigation of the Society's unusual extra-legal powers. Lewis had seen his own *Elmer Gantry* the subject of a criminal prosecution in Boston in late 1929, although the New York Society had left it alone.

Theodore Dreiser's letter is the briefest of all: a sentence mildly praising the book and a sentence reiterating his opposition to the censorship of artistic works. Dreiser was particularly well acquainted with Sumner's ilk, *Sister Carrie* having been suppressed in 1900, *The Genius* in 1916, and *An American Tragedy* in May
1930 by the Massachusetts Supreme Court. He was also familiar with the evanescence of the vice societies’ “accomplishments”: after *The Genius*’s suppression in New York in 1916, the book was openly republished in the same city in 1923, with advertising trumpeting its earlier treatment at the hands of the New York Society.

All the letters in the collection hew fairly close to standard form for the genre, i.e., documents solicited by publishers for possible use in shoring up a legal defense. Heywood Broun’s letter, however, a few amiable paragraphs about *Casanova’s Homecoming* on the stationery of the Broun-For-Congress Non-Partisan Committee, deserves a brief note.

Among the developments afoot during the *Casanova* era was the change in what evidence was admissible in defending a work against obscenity charges. The courts in jury trials had traditionally excluded from evidence any “expert” opinions on the merit or morality of a book, because in principle the jurors represented the community in evaluating its acceptance of the work, and needed no assistance in doing so. By contrast, opinions of experts and community leaders were regularly submitted in cases tried by a judge without a jury, such as in the magistrates’ courts, and stood for the “representative opinions” needed by the judge in assessing the level of community acceptance of the work.

However, after the 1922 case against Gautier’s *Mademoiselle de Maupin* (*Halsey v. New York Society for the Suppression of Vice*), the courts in New York State allowed the admission of “representative” expert and community leader opinions even in jury cases. Accordingly, after Judge Gottlieb had dismissed Sumner’s 1930 complaint concerning *Casanova’s Homecoming*, Ernst and his colleagues requested that the judge return to them the letters of testimonial. As Ernst described the exchange in a 1940 book on censorship, the judge wanted to know the reason for the request:
"We'd like to use them if Mr Sumner tries to get a grand jury indictment," they said. "Well," said the judge, "you can't have them back. Why do you suppose I asked for Broun's opinion?" "Because," ventured the lawyers, "he's a sound critic, brilliant journalist and man of common sense." The judge smiled. "Not at all. My son is an autograph collector, and he wanted Broun's autograph."

Judge Gottlieb's son's collection notwithstanding, Broun's Casanova letter is present and accounted for in the papers from the curious case of Sumner v. Simon & Schuster.
Pen-and-ink caricature of Heywood Broun by Miguel Covarrubias (Dzierbicki gift)
Our Growing Collections

KENNETH A. LOHF

Barzun gift. Professor Jacques Barzun (A.B., '27; A.M., '28; Ph.D., '32) has presented approximately 125 volumes and issues of periodicals, all of which pertain to crime and mystery books. There are forty-four first editions of mystery novels and books about mystery writers, among them two publications by Arthur Conan Doyle hitherto lacking in our collection, The Croxley Master: A Great Tale of the Prize Ring, 1907, and The Case of Oscar Slater, 1912. Professor Barzun's gift also contains the copy of A Catalogue of Crime, 1971, coauthored with Wendell Taylor, in which Taylor recorded additions and emendations for a second edition.

Butcher gift. Professor Philip Butcher (Ph.D., 1956) has donated thirty volumes and more than five hundred letters, manuscripts, and papers relating to his researches and writings on black poets and novelists, George Washington Cable, and American literary history. Of special interest among the printed items are: Owen Dodson, Powerful Long Ladder, 1947, inscribed by the author to Professor Butcher; William H. Ferris, The African Abroad, 1913, 2 volumes; William H. Holcombe, A Mystery of New Orleans, 1890; and Sterling A. Brown, Outline for the Study of the Poetry of American Negroes, 1931.

Dzierbicki gift. Mr. Ronald L. Dzierbicki has presented, in memory of Marguerite A. Cohn, a group of eleven first and rare editions and one drawing, all of which relate to contemporary literature. Among the most important rarities in the gift are: the Doves Press 1909 edition of Shake-spears Sonnets, printed in black and red in 250 copies and specially bound in full gold-tooled blue morocco; Joseph Sébastien Pons, Concert d'été, a book of poems issued in a limited edition in 1946 by Flammarion in Paris, with twenty-six woodcut illustrations by Aristide Maillol, the copy presented being one of twenty with an extra suite of the woodcuts on Lana paper; and a
bold, imaginative pen-and-ink caricature drawing of Heywood Broun by Miguel Covarrubias. Other volumes in the gift include first editions by, among others, John Fowles, Ben Hecht, Aldous Huxley, Mary McCarthy, Anthony Powell, and John Wain.

Frankel gift. Professor Aaron Frankel has presented approximately 750 pieces of correspondence, manuscripts, playscripts, notes, and printed materials relating to his career as a theater director and producer of more than one hundred Broadway, off-Broadway, and regional theater productions. There are six letters from Alfred Lunt and Lynn Fontanne, five from Greer Garson, and twelve from Robert Penn Warren. The latter correspondence relates to Professor Frankel's collaboration on and direction of two plays by Warren: Willie Stark: His Rise and Fall, a stage adaptation of All the King's Men; and Brother to Dragons. Also included in the gift are the manuscript, drafts, and galley proofs for Professor Frankel's book, Writing the Broadway Musical.

Gay gift. Professor Peter Gay (A.M., 1947; Ph.D., 1951) has donated, for inclusion in the collection of his papers, the setting copy, comprising the front matter, notes, and text, for his 1989 book The Freud Reader.

Halper gift. Mrs. Marjorie Windust Halper has presented, for addition to the Nathan Halper Collection, a series of five political posters printed at the time of the 1943 Teheran Conference, which brought together President Franklin D. Roosevelt, Prime Minister Winston Churchill, and Premier Joseph Stalin. In addition to the three Allied leaders, the hand-colored lithographs depict Adolf Hitler as the central imperious and evil figure surrounded by other Axis leaders in settings reminiscent of Persian miniatures.

Hamory memorial gift. The colleagues and friends of Mrs. Marion C. Szigethy on the staff of the Libraries have presented funds to acquire a rare edition in memory of Mrs. Szigethy's son, Peter S. Hamory. The volume selected, the limited edition of The Alaskan Journal of Thomas Merton, was published in 1988 by the Turkey Press in Isla Vista, California. En route to Asia in 1968, the year of
Persian lithograph depicting the Allied leaders, Churchill, Stalin, and Roosevelt, triumphing over the dictators Hitler, Mussolini, and Hirohito (Halper gift)
his death, Merton visited Alaska and recorded in his journal his thoughts, impressions, and experiences. The frontispiece in the volume is a facsimile of a page from the original journal, and the slipcase has a relief print of a photograph of the Alaskan mountains taken by Merton from the plane during the voyage.

Herrera gift. Mrs. Carol C. Herrera, stepdaughter of the late Professor Boris Bakhmeteff, has made a further addition to his papers with the gift of nearly three hundred books, documents, photographs, and manuscripts which relate to the Russian Revolution and its aftermath. Of special interest are the typewritten manuscripts of books by Pavel Muratov, Stanley Washburn, N. N. Savin, and I. I. Sikorsky, and several photographs of Professor Bakhmeteff and Russian political figures, several with inscriptions.

Hyman gift. Mrs. Helen Kandel Hyman (A.B., 1942, B.) has presented the papers of her husband, the late Professor Herbert H. Hyman (A.B., 1939; A.M., 1940; Ph.D., 1942), who served as professor of sociology, 1951–1969, before moving to Wesleyan University, where he taught until his retirement in 1983. The more than ten thousand letters, manuscripts, notes, questionnaires, code books, and related printed materials reflect Professor Hyman's research projects, most notably his study on attitudes toward the blind and the history of survey research.

Kennedy gift. Professor Sighle Kennedy has presented funds, in memory of William York Tindall, for the purchase of Samuel Beckett's Texte pour rien, 13, printed in an edition of seventy-five copies by Yves Rivière in Paris in 1987. Issued in a portfolio, the text, signed by Beckett, is illustrated with five lithographs on Japan paper by Bram van Velde, each of which the artist has numbered and signed.

League of Women Voters gift. The League of Women Voters of the State of New York has added to the collection of its papers approximately eighteen thousand letters, minutes, reports, financial files, convention records, and publications of its main office and League chapters throughout the state for the period 1920–1980.
Levy gift. Mr. Paul S. Levy has presented funds for the purchase of the limited edition of *The Song of Songs, Which Is Solomon's*, printed by Franklin Feldman in 1989 in an edition of twenty copies signed by the printer. The text, in the translation by Robert Gordis, is illustrated with thirty aquatints by Mr. Feldman, five of which have been hand-colored.

Meade gift. Ms. Marion Meade has presented the papers relating to her book, *Dorothy Parker: What Fresh Hell Is This?*, including more than six thousand letters, manuscripts, notes, photographs, audio tapes, and printed materials relating to the subject of her biography, the Algonquin Round Table, and American literary history from the 1920s to the 1960s. The files of letters, consisting of correspondence with colleagues and acquaintances of Dorothy Parker, include letters from Charles Addams, Saul Bellow, Malcolm Cowley, Martha Gellhorn, Lewis Mumford, Budd Schulberg, Gloria Vanderbilt, E. B. White, and Richard Wilbur. The research materials contain notebooks of drafts of portions of the book, subject files of research notes, materials on the writings of Dorothy Parker, including her Hollywood screenwriting from 1935 to 1965, and audio tapes of interviews with people who knew Parker, such as Joshua Logan, Marc Connelly, Thomas Guinzberg, and Budd Schulberg.

Myers gift. Professor Andrew B. Myers (A.M., 1947; Ph.D., 1964) has presented a group of nineteenth-century American first editions and autographs among which are the following notable items: a first edition of Henry Wadsworth Longfellow's *Voices of the Night*, Cambridge, 1839, inscribed by the author to John Codman, and an autograph letter written by Longfellow to an unknown correspondent, dated Florence, May 2, 1869, concerning the purchase of paintings; the manuscript of a poem by John Quincy Adams, "Farewell! a word, too close allied with pain," dated Washington, July 10, 1844; and a custom receipt for the District of Salem and Beverly, dated September 13, 1847, signed by Nathaniel Hawthorne. Also in Professor Myers's gift are letters and
autographs by Samuel A. Allibone, Theodore Parker, and Margaret Fuller, as well as cabinet photographs of Longfellow and James Russell Lowell.

Customs receipt signed by Nathaniel Hawthorne (Myers gift)

Nagy gift. The papers of Ferenc Nagy (1903–1979), who served as Prime Minister of Hungary, 1945–1947, have been presented by his son, Mr. László Nagy. The more than fifty thousand letters, manuscripts, and documents in the papers document Nagy’s career through various periods, starting when he became leader of the Smallholders’ Party and then prime minister, and continuing through the early years of exile and his work with various émigré organizations, his increased attention to and writing on the developing world and its peasant problem during the mid-1950s, and lecture activities during the final decade of his life. Among his numerous correspondents represented in the papers are Harry S. Truman, Dwight D. Eisenhower, and Richard M. Nixon, and such
émigré politicians as Pál Auer, György Bessenyey, Tibor Eckhardt, Béla Fabian, József Horvath, Károly Peyer, Zoltán Pfeifer, and Béla Varga.


**Rosenkrantz gift.** Professor Barbara Gutmann Rosenkrantz has donated, for inclusion in the papers of her father, the late Professor James Gutmann (A.B., 1918; A.M., 1919; Ph.D., 1936), approximately six hundred letters, manuscripts, photographs, pieces of memorabilia, and printed materials, including manuscripts of Professor Gutmann’s writings and lectures, subject files relating to the organizations with which he was associated, and letters from Jacques Barzun, Corliss Lamont, John Herman Randall, and Herman Wouk, among others.

of Flora, 1804; Giuseppe M. Campanella, Life in the Cloister, 1877, illustrated with photographs; Frederick and Margaret Klopstock, Memoirs, 1810, in the original boards; and Thomas Babington Macaulay, Lays of Ancient Rome, 1849, illustrated by George Scharf and in a nineteenth-century pressed leather binding.

Will Rogers (right) in Life Begins at Forty, 1935, with Richard Cromwell (left), Sterling Holloway, and Jane Darwell (Palmer gift)

Schocken Books gift. Schocken Books, through its parent publishing companies Pantheon Books and Random House, has donated the editorial files documenting the English-language editions of Franz Kafka that the publishing house has issued from 1940 to 1975. The more than 750 pieces of correspondence, memoranda, publicity materials, and production records include files pertaining to the American publication of The Great Wall of China, 1946, Letters to Milena, 1948, Erzählungen und Kleine Prosa, 1957, Franz Kafka: Briefe, 1958, and Parables and Paradoxes, 1958, among other titles.
Our Growing Collections

Trilling Seminars gift. The Lionel Trilling Seminars, founded in 1976 in memory of Professor Trilling, explore areas of study in which he had been most active, such as literature and society, art and politics, psychoanalysis and culture, and education. The seminars, which meet three times each year, feature papers presented by prominent speakers and comments by two discussants. The manuscripts of these speeches have been presented to the Rare Book and Manuscript Library to establish a collection of the Seminars’ papers, and include contributions by historians Jacques Barzun, Edmund S. Morgan, and C. Vann Woodward; literary critics Denis Donoghue, Frank Kermode, and Richard Ellmann; and philosophers Sir Isaiah Berlin and Arthur C. Danto.

Velfort gift. Dr. Helene Rank Veltfort, daughter of the renowned psychoanalyst Otto Rank, has presented her collection of works by and about her father, including fifteen first and early editions of his writings, five works about him, and four translations of his works, many of which were originally owned by Rank and bear his revisions, notes, and emendations. Among the most significant of the association volumes are: Der Mythus von der Geburt des Helden, 1909, bearing Rank’s holograph emendations for a second edition; Das Inzest-Motiv in Dichtung und Sage, 1912, interleaved with notes and clippings; Der Künstler, 1918, with extensive holographic notes laid in; and Das Trauma der Geburt, 1924, with notes, clippings, and original correspondence laid in. Also included in Dr. Veltfort’s gift is the undated typescript of Rank’s “Mikrokosmos und Makrokosmos,” extensively corrected by the author.

Waugh Estate gift. A collection of fifty-two photographs relating to historical events in China, 1925–1933, has been donated by the estate of Benjamin Waugh through the courtesy of Messrs. Brian Crawford and W. Scott Morton. A large number of the photographs document the National Revolutionary Army’s Northern Expedition in 1927–1928; they include views of military installations, bombed sites, tombs of martyrs, and movements of troops.
Weil gift. Mr. James L. Weil has donated three poetry pamphlets he has recently published: *Four Sonnets by Four Friends*, 1989, including poems by William Bronk, Spencer Brown, Samuel French Morse, and Felix Stefanile; William Bronk’s *Of Poetry*, 1988; and Jack Stillinger, *Keats and Me*, 1986. Each of the pamphlets, issued in fifty copies, was designed by Martino Mardersteig and printed at the Stamperia Valdonega, Verona.

Wertheim gift. Professor and Mrs. Stanley Wertheim have continued to strengthen our literary holdings with their thoughtful and generous annual gifts. At the end of last year they presented: first editions of two suspense novels by Cornell Woolrich, *Fright*, 1950, published under the pseudonym George Hopley, and *Waltz into Darkness*, 1947, published under the pseudonym William Irish; two first editions lacking in the Stephen Crane collection, *The Sullivan County Sketches*, 1949, and John Berryman’s landmark biography of Crane, published in 1950; and an important autograph letter written by Delmore Schwartz to the editor of *The New Republic*, William Cole, April 22, 1955, in which he discusses the possibility of getting Albert Camus to write a series of articles for the magazine, and his work as poetry editor.
Activities of the Friends

Winter Reception. The exhibition "Charles Saxon from Columbia to The New Yorker," which opened with a Friends reception on Wednesday afternoon, March 7, featured nearly sixty drawings and watercolors received by bequest from Charles Saxon (A.B., 1940) and by gift from Mrs. Nancy Saxon. Nearly two hundred Friends and their guests, members of the Saxon family, and representatives from the editorial and art staffs of The New Yorker attended the opening reception. The works exhibited were selected from the more than nine hundred drawings in the bequest and the approximately two thousand additional drawings, sketches, scrapbooks, and sketchbooks received as a gift from Mrs. Saxon.

Bancroft Awards Dinner. Mr. Frank S. Streeter, Chairman of the Friends, presided at the annual Bancroft Awards Dinner in the Rotunda of Low Memorial Library, Wednesday evening, April 4. President Michael I. Sovern announced the winners of the 1990 awards for distinguished books in American history and diplomacy: Neil R. McMillen, Dark Journey: Black Mississippians in the Age of Jim Crow, University of Illinois Press; and James H. Merrell, The Indians' New World: Catawbas and Their Neighbors from European Contact Through the Era of Removal, University of North Carolina Press. President Sovern presented to the author of each book a $4,000 award from funds provided by the Edgar A. and Frederic Bancroft Foundation; Mr. Streeter presented citations to the publishers.

Future Meetings. The fall exhibition reception will be held on Wednesday afternoon, December 5; the winter exhibition reception will be held on March 6, 1991; and the Bancroft Awards Dinner is scheduled for April 3, 1991.
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