

## THE PROHIBITION OF TOBACCO-GROWING.

THE language used by the deputation of tobacco-growers which recently waited on Mr. Goschen, and by Mr. Goschen himself in reply, has caused us, says the *Law Times*, to refer again to the Acts of Parliament which deal with tobacco-growing, in order to reconsider the opinion we have formerly expressed that neither the Chancellor of the Exchequer nor anyone else under the existing law has power to grant licenses to grow or deal in home-grown tobacco. We cannot see any reason to change our opinion. The 12 Car. II., c. 34, in the most unequivocal language, forbids the planting, making, or curing of tobacco in any form in any part of the United Kingdom, under penalty of forfeiture of all tobacco so planted, made, or cured, and of a fine of 40s. per rod of ground so planted. The 15 Car. II., c. 7, increases the penalty to £10 per rod, and so the law remains to this day so far as England is concerned, though the 1 and 2 Will. IV., c. 13, further imposes a penalty of £100 for each offence upon every manufacturer or dealer in whose possession home-grown tobacco is found in any quantity, upon any other person in whose possession it is found in a quantity of more than 1 lb., and upon the sale or purchase of such tobacco in any quantity by any person. Lord Harris's remark, therefore, on behalf of the recent deputation, that at one time the fine was 'very much lighter' than £1,600 per acre is only true of the brief period between 12 and 15 Car. II., and it will be readily seen that a £1,600 penalty was a much more weighty sanction in the reign of Charles II. than it is now, when, as Lord Harris naively observed, it 'amounts to a positive prohibition.' The amazing thing, however, is to find the Chancellor of the Exchequer gravely discussing the desirability of granting the licence which the tobacco-growers ask for, and which, if our view of the case be correct, he has no more power to grant than a licence to commit burglary. What surprises us most is that the Tobacco-Growers' Association do not promote a Bill for the repeal of the two statutes of Charles II., which were only passed for the benefit of the American colonies, and the survival of which under existing circumstances is a *reductio ad absurdum* of what has been called 'one-sided free trade.'

### LAW AND TOBACCO.

Sir,—The *Law Times* is amazed that the Chancellor of the Exchequer should gravely discuss with the Department of Tobacco-Growers the desirability of granting a licence, as, 'if our view of the case be correct, he has no more power to give such licence than to grant a licence to commit burglary.' Our legal friend next is most surprised 'that the Tobacco-Growers' Association do not promote a Bill for the repeal of the two statutes of Charles II., which were only passed for the benefit of the American colonies, and the survival of which under existing circumstances is a *reductio ad absurdum* of what has been called "one-sided free trade." Now, the above passage is to me, like a certain cocoa, 'very grateful and comforting,' since it shows both law and logic on our side, and supports what your correspondent 'Invicta' in *The Field* of 17th ult. advocated, namely:

Repeal of all prohibitory restrictions on growing crops such as now are blots upon the statute book of a free country, and an imposed revenue tax upon the manufactured article—such as could be carried through Parliament—is obviously the most straightforward and simplest course that can be suggested. Fair play to the farmer demands that he shall be openly taxed for what he grows, and not be debarred by covert Acts of Parliament passed before free trade changed the farmers' position.

It may be hoped, therefore, that what agriculturists ask, and what the *Law Times* recommends, may be done by the promotion of a Repeal Bill such as that advised, and which apparently is necessary, as believed by

### ONE OF THE COUNCIL TOBACCO-GROWERS' ASSOCIATION.

FLOR DE SANDRINGHAM.—By an oversight this brand was included in the Register of Specialities under Cigars. It should have been under 'Imported' Cigars, as it is made specially in Havana for Messrs Fryer and Coulman.

## 'IT WAS MY LAST CIGAR.'

A SONG WRITTEN IN NEW HAVEN AND ALMOST AS POPULAR AS 'HOME, SWEET HOME.'

IF there is any melody which divides honours with 'Home, Sweet Home,' it was that other American song, 'It Was My Last Cigar.' The author, J. M. Hubbard, has been for eighteen years in the Chicago Post Office, and is one of the oldest and most valuable Government officials in the railway mail service. Although over a million copies have been sold in this country by a single publishing firm, and although it has been sung in the German universities for twenty years, and all over the world where sweet music is prized, the man who wrote it has never made a penny out of it. Its history is a strange musical romance.

Although James M. Hubbard is thought of at Washington and everywhere only as an expert who, by an extraordinary service, has mastered all the details of the railway mail service, forty years ago he was the professor of music at Yale College. He succeeded to the chair which Nathaniel P. Willis left vacant. Librarian Poole, who is known and loved here as the accomplished head of the Public Library, but who is known better all over the English-speaking world by his familiar catalogues of current literature, was at Yale at the same time.

That was an era of musical enthusiasm at the 'Blue' university in the beautiful Elm City. Instead of an organ in the chapel in those days there was an orchestra of students, led by the wonderful violin playing of James M. Hubbard.

It was in old South College, the dormitory best known to all Yale men, that the music and the following words were written:

'It was off the blue Canaries Isles  
One glorious summer day,  
I sat upon the quarter-deck  
And whiffed my cares away.  
And as the fragrant smoke arose  
Like incense on the air,  
I breathed a sigh to think, in sooth,  
It was my last cigar.'

The words had been written by a Valensian named Condit, who was an intimate friend of Hubbard, and who lived in old South College at the same time. The lines have their story as well as the music, for they are suggested by the actual experience of Condit.

The latter one day handed them to Hubbard with the request that he set them to music for the college boys. The melody was improvised and put on paper that very day at a single sitting, in a room on the top floor of that old brick structure on the south end of the line of the Yale dormitories, and that looks squarely down on Chapel Street. It took immensely among the students. Hubbard had sent his manuscript to New York for publication, and in course of time received the proof back.

A copyright was then secured by filing in the office of the Probate Court in each county. Hubbard took a copy of the song, and, rolling it up, handed it with the fees to a friend named Cleveland, who was clerk in the office of Probate-Judge Blackman. That is the last the author thought of the copyright privileges.

The music had meanwhile slowly spread from one college to another and from the colleges to the outside musical world. Demands had been made on the different publishers for it, and Oliver Ditson began to republish it.

It was some years before the author found that his music was being stolen. He then hastened to claim his royalties. He was defied. 'There was no copyright,' it was answered. His privileges were lost.

Investigation proved the claim only too true. Cleveland, to whom the music had been given, had fallen dead the day after the trust had been committed to him. A search through Judge Blackman's office in New Haven ten years later discovered the identical proof-sheet still rolled up and covered with dust, thrown up and out of sight upon the top of a bookcase in the Probate Clerk's office.

In the course of investigation Oliver Ditson and Co. themselves admitted that they had sold one million copies of the music, and had realized the largest profits they had ever known on a single sheet of music.—*Chicago Mail*.

GIFTS TO SMOKERS.—The cigarette smoker is a fortunate individual. One firm of manufacturers hands him with each package that he buys a beautiful coloured lithograph of a flag, another is eager to beautify his home with handsome pictures gratuitously bestowed, and now comes the firm of Wm. S. Kimball and Co., of Rochester, prepared to fill his pockets with cash, and all on the easiest of conditions—the smoker has only to preserve his wrappers and keep in mind that on July 2 he will have a chance, having previously forwarded the wrappers to Rochester, to participate in the distribution of \$22,500 which the firm proposes to give away on that date to a number of smokers who have returned the largest number of empty wrappers. On October 1 and on December 25, the firm will give away \$7,500 more each time, on the same delightfully easy terms. At the time of awarding the cash prizes, any person having sent to the Messrs. Kimball and Co., 100 empty boxes, or wrappers, will receive a beautiful album containing forty-eight embossed cards, illustrating the arms of Dominions, emblazoned in gorgeous colours. Truly, cigarette smoking has its rewards.