Novelists' Ink

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Publishers Weekly Subscription

For several years, Novelists, Inc. has negotiated reduced subscriptions for members. It's renewal time again for current subscribers and also time for anyone who wishes to save \$30 to speak up. The current advertised rate for a Publishers Weekly subscription is \$169/ vear, but you can get it for \$139/year by joining the NINC group subscription. That \$30 you'll save will pay half your NINC dues. If you don't have a current subscription, just send a check for \$139, made out to Novelists, Inc., and the address to which you want PW sent, to Patty Gardner Evans, 14201 Skyline Rd. NE, Albuquerque NM 87123.

You will begin receiving PW in mid-December. If you have a current subscription at a higher rate, just e-mail pgevans@ worldnet.att.net, fax 505-296-9139, or mail the information on your PW address label to Patty ASAP. PW will prorate your current subscription, and Patty will let you know how much it will be to extend it through mid-December 1999. The deadline for receiving all checks is November 1, 1998.

The Way We Dressed

By ROBERTA GELLIS

I do love costume books and I own a good many, so when LaRee asked if someone would do an article on them, I blithely said I would like to do it. It was only after I began to consider how to arrange the references—because this article is going to be little more than a list of books with commentary—that I realized I didn't know beans about any costume book that did not include early costume. Fortunately the subscribers to NINCLINK heard my howls of anguish and rushed to my assistance.

My sincere thanks and gratitude to Barbara Smith, Carolyn Lampman, Lynne Drennan, Cynthia Pratt, Candace Schuler, Loretta Chekani, Sherry-Anne Jacobs, Pat Rice, and Victoria Thompson. Thus, I not only have recommendations from those who describe costume after the thirteenth century, but owing to repeated recommendations I have been able to judge a few books as "most valuable."

By and large this article will concentrate on books that are still in print and can be easily obtained. A few that are worth searching for will also be listed—with warning labels. However, before I get down to particulars, I wish to make a general recommendation.

Write and obtain a catalogue from Dover Publications, Inc. at 31 East 2nd Street, Mineola, NY 11501-3582. The

books listed are an absolutely invaluable source for anyone who writes historical or nostalgic romance.

Dover is a publisher of reprints and there is virtually no subject they do not cover, from American Indians through Mathematics and Science to Western Philosophy. Some of the material is outdated because their books are often texts now in the public domain, but in other cases arrangements have been made with the original publishers of the works for reprint rights or editors have been hired by Dover to collect materials from long out-of-copyright magazines and catalogues.

Many of the costume books listed here come from the Dover catalogue, but it is a source for much, much more: books on all kinds of crafts, like quilting, lacemaking, and toy and doll-making; books on architecture and furniture; books on homemaking. A thorough reading of the Dover catalogue can provide research materials for almost any subject and period.

FOR A QUICK OVERALL SURVEY

The following books show illustrations of costume separated into periods, but without any descriptive text.

Historic Costume in Pictures. Braun & Schneider, Dover Publications, 1975. Covers Ancient (Near East, Greece, Rome, Judea, and Germans), the Byzantine Empire, the Dark Ages, and Medieval through the late 19th century in various cultures. Continued on page 4

Also in this Issue:

President's Column—2 / Letters to the Editor—3 / Tahoe Conference Update—8 / Random Audit Survey Report—10 Ask the Lawyer—12 / Dispatches from the Front—14 / Online—16 / East of the Hudson—17 / Fast Track—20

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President's Column

Today's the day after Labor Day and—as seems to be the case lately—Newsletter Editor LaRee Bryant has just diplomatically informed me that my column is late once again. My first panicked reaction: It can't be! I just turned one in. It must have been lost in the shuffle! Then I

Autumn has always been the time of renewal...of

possibility.

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This Month from the

President:

checked my records and realized LaRee was right, which means another month has flown by so quickly it feels like only hours.

That's the way it seems to go these days, this sense of time racing by so quickly that it all becomes a blur. This surely is one of life's more tangible signs of aging, although truthfully it is also one of the less unpleasant. I remember very clearly my sense of time as a child, when days seemed to drag by, and I wished I could hurry up and grow up. That's not a problem these days.

The common collective myth is that springtime is a time of renewal, a time when things come back alive after winter's long hibernation. But for me autumn has always been the time of renewal. The blistering heat of summer gives way to a coolness that's almost sweet. As a child, autumn meant a new year of school, with clean notebooks so white and pristine as to be almost pure, pencils that were still unchewed, textbooks that were full of things yet to learn. Life seemed an adventure then, full of promise and hope and unseen yet profoundly felt possibilities.

Endless potential gave way to middle-aged reality quicker than I could have ever thought possible. Still, I find the advent of autumn a time of possibility. I know from experience that between now and the Christmas holidays I will be in the best spirits of the year. That rewrite of the novel I wrote over the summer—the one that was shredded to bits by my readers—will seem a bit less daunting. The hopes I have of publishing it under a pseudonym and remaking a career gone sour will seem just a bit sweeter for awhile before the cruel hardness of winter sets in. For a while at least, I'll appreciate the newness of having to wear a sweater when nights turn cool. Later, the heavy clothes of winter will be a burden I'll resent. But soon, and for a short, sweet time, the change will be welcome and fresh.

Here in the South, this summer hasn't been a terrible one—but it's been bad enough. The land here is bone dry, with temperatures hovering near one hundred just when we all hoped we'd get a break. The grass is brown; heat shimmers off the pavement in waves.

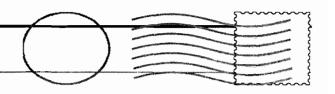
Last night, though, almost as if on cue, a cold front moved in and temperatures dropped twenty degrees. At four this morning, a thunderstorm jerked me out of sleep and I lay awake for a while just savoring the sound of rain pelting down on the roof. And I awoke this morning to a sense that shifts were in the air, that the approach of autumn after this long and hot summer was a sign that maybe there were possibilities and potential out there still unseen.

For a few days, at least, the air will be sweeter, the pavement cooler, and the grass will turn green for a few brief moments before the leaves fall and cover it all up.

And before any of us knows it, another month will have gone by in a blur.

- Steven Womack

Letters to the Editor



Letters to the Editor is the most important column in our newsletter, since it is the monthly forum in which we can all share our views and express our opinions. Anonymous letters will never be published in NINK. Upon the author's request, signed letters may be published as "Name Withheld." In the interest of fairness and in the belief that more can be accomplished by writers and publishers talking with one another rather than about each other, when a letter addresses the policies of a particular publisher, the house in question may be invited to respond in the same issue. Letters may be edited for length or NINK style. Letters may be sent to the NINK editor via mail, fax, or e-mail. See masthead for addresses.

State of Incorporation

I read with interest Cathy Maxwell's column in NINC's newsletter about incorporating. But there's one big point that wasn't discussed that really needs to be considered before a writer incorporates. And that is, *state* costs/taxes.

In the state of California, corporations have a minimum state tax due every year of at least \$800—for either an S corp or a C corp. This is over and above any federal taxes and is required in order to maintain the corporation's registration with the state of California. If your corporation makes a profit, that \$800 minimum rises accordingly.

Corporations are entities that are created within the bounds of each state's laws, and many states are fairly pricey places to be incorporated in. California is one of those (and, I think, Massachusetts and New York as well; it's one reason so many corporations are based in corporation-friendly Delaware).

That minimum \$800/year state tax on the corporation—a tax that an unincorporated writer does *not* have to pay—would change the example you gave from a \$1413 savings of self-employment taxes to a mere \$613 savings—savings that most likely would be eaten up by the additional paperwork requirements and tax preparation costs arising from having to file those five federal withholding statements and the preparation of the corporation's tax returns (S or C, you still have to file a return for it), plus the complications resulting in your personal return.

In addition, there are state payroll taxes as well as federal ones—state disability taxes, workman's comp taxes, and other state withholding that must be done if you take your royalty income as "payroll." That further complicates the issue—and makes incorporating yourself even more expensive in both time and money.

Although I'm not a tax attorney, I used to own a small business that was incorporated, and the bookkeeping overhead of doing those extra filings and the annual tax returns (due March 15, a month *before* personal tax returns!) was considerable. I certainly spent far more than \$613 worth of my time on an annual basis with that extra paperwork, and

close to \$500 on top of that in tax preparation fees. Not to mention all the required state payroll taxes.

I guess my point is that incorporation, at least in expensive states that have substantial personal and corporate income taxes like California, is not a particularly viable solution to anything unless (a) you're regularly making a *lot* of money—perhaps \$100K or more—from your writing and thus need substantial tax protection, and/or (b) you have cheap access to a tax preparer so your federal and state tax return preparation fees don't skyrocket. Considering only the federal tax implications of incorporating begs the question of the state taxes and fees that go along with such a step.

— Maureen Caudill

E-Publishing Is an Evolving Consideration

During the NINCLINK debate on e-publishing, I only lurked, since I didn't have a particularly strong opinion either way on whether e-pubbed-only authors should be extended membership in NINC or not. I saw the issue as an interesting one certainly, and figured that the decision could go either way according to any number of good reasons.

However, Steven Womack's "President's Column" in September convinced me that the NINC Board made a correct decision not to allow e-published-only members into NINC. The Board's reasons are ultimately straightforward (which doesn't necessarily make them simple, as Steve made clear). First, NINC was founded before the electronic revolution and, second, the organization exists to address concerns of traditionally published writers that do not at present coincide with those of e-pubbed-only writers.

A further reason for excluding e-pubbed-only writers at the moment might also be that NINC is not in the business of conferring legitimacy on the electronic world. I am presuming that the e-pubbed-only author who wanted membership in NINC wanted, among other things, the "official seal of professional writing approval" that membership in NINC signals. That is, the e-pubbed-only writer wanted it both ways; to be a part of the new, experimental system while having some of the benefits of the traditional publishing world. There's nothing particularly wrong with that—I always want to have my cake and eat it, too—it's just that it's not NINC's business to provide that service. Just as NINC was founded by authors whose needs were not being met by other organizations, so electronic writers may eventually have to establish their own organization in order to exchange career information that is relevant to them.

At the same time, I think the entire discussion surrounding this issue suggests that NINC's challenges in handling the demands of the rapidly changing traditional publishing world and the newly emerging non-

Letters to the Editor



Continued from page 3

traditional publishing world have only just begun. For instance, Steve suggested that a possible future criterion for inclusion of Internet-published authors in NINC might be the appearance of their work on bestseller lists. However, such a criterion is unlikely to be particularly workable because the very notion and function of the bestseller list is part of the traditional publishing world that is currently being transformed along with everything else. (I heartily add my congratulations to the talented members of NINC who have made and even dominated those lists!) The explosion of availability of book titles made possible by the Internet is

changing the numbers and kinds of books (hardcover, softcover, digital, in-print, out-of-print, you-name-it) that are now being sold globally. The lack of "measurable impact on the marketplace" of Internet-published books is due, at least in part, to the fact that traditional measurements have not been set up to capture the dynamics of the nontraditional marketplace.

This is not to contradict Steve. It is only to say that knowing how and when the concerns of NINC's membership coincides with those of writers in the non-traditional publishing world is going to be tricky, indeed. It may even require thinking in some non-traditional publishing terms.

- Julie Tetel Andresen

Costumes

Continued from page 1

The illustrations are clearly done with moderate detail, and each has a legend, which identifies it specifically; however, because of the wide range of time and culture, only a few examples of each type of costume are shown and none in color, which is a definite drawback.

What People Wore. Douglas Gorsline, Dover Publications. Covers Costume of the Ancient World, European Costume from the 9th century to about 1917, and American Costume from fur trappers to about 1925. The illustrations are clear although somewhat smaller and less detailed than Braun & Schneider; however, Gorsline gives separate details of hats, shoes, and boots, hairstyles, sleeves, and other ornaments that were considered important in the period. A brief, but useful, introduction precedes each major section of the book and a "Historical Survey," giving the dates of important events in each subsection, is provided. Some, but not all, illustrations have legends, and some, but not all, illustrations are specifically dated. As with Braun & Schneider the illustrations have no color.

Racinet's Full-Color Pictorial History of Western Costume. Auguste Racinet, Dover Publications, 1987. Covers mostly Continental Europe, particularly France from the 10th through the early 19th centuries. A good many plates showing French military uniforms are provided and a few show costume from Holland, Flanders, and Italy or are entitled Western Europe. Two plates each at the very end show Scottish, Russian, and Polish costume. The illustrations are clear enough and detailed enough to be easily described and the use of color gives a much better appreciation of what the grander costumes looked like; however, the legends for the illustrations are grouped at the bottom so that one needs to read them carefully to get illustration and label together.

Costume Through the Ages. James Laver, Simon & Schuster, 1961. Covers European costume from the 1st century through 1930. There is no text and, although the illustrations are numbered, these numbers refer to very brief identifications of where the illustration came from. Each plate is identified only by date. Many of the illustrations are artistically satisfying although some from the early period are clearly copies of sculpture or manuscript illustrations. Some illustrations have good detail, and accessories, most often shoes, boots, or hats, are inserted between other illustrations. The art can provide an overall feeling about a period, but it is all black and white, no color, and many illustrations lack sufficient detail. If you come across the book at a good price, fine, but I would not spend time searching for it.

GENERAL COSTUME BOOKS

These books have both descriptive text and illustrations, with the text either equaling or dominating the illustrations in importance.

A History of Costume. Carl Köhler, Dover Publications, 1963. 464pp. Covers the peoples of antiquity, including not only Greek and Roman costume but that of Egyptians and the people of the Middle East like Syrians and Hebrews, and then European costume from the Teutonic period through about 1870 with emphasis on Continental costume, although English dress is mentioned from time to time. The illustrations consist of line drawings and photographs, with photographs predominating in the later 18th and 19th centuries. A remarkable and useful addition to the illustrations is patterns for many of the garments, which permits a researcher to see how the clothes were put together (and thus where they might come apart!). The text is excellent, clear and to the point, explaining variations from the illustrations shown, and often describing how the garments were put together—especially in the earlier periods. Moreover, there is an index (albeit not an extensive one) and a bibliography. Unfortunately the colored plates that were included in the original 1928 edition have been reproduced in black and white in the Dover edition and the book is of standard size so that many of the illustrations are relatively small. Nonetheless, for an all-over view of costume, this book is an excellent and inexpensive investment.

The Encyclopedia of World Costume. Doreen Yarwood, Random House Value Publishing, 1988. (My copy says Bonanza Books, 1986. Large size book, 471 pp.) Covers all times and all periods, not by time and place, but by name of item; that is, this book functions like any other encyclopedia and is arranged alphabetically by key word. If you want to know about "farthingales," you look up "farthingale." However, there are very general categories, like "Children's Costume" and "Furs," within which the subject is discussed chronologically. The text gives a quick, all-over look at most subjects and identifies obscure costume items like "furbelow," "pentenlair," and "muscadine" (which is not an article of clothing but a word applied to the bourgeois elegants of Paris in 1793, who used a musk perfume). The text is generously illustrated with Yarwood's typically lively black and white drawings.

The Mode in Costume. R. Turner Wilcox, Macmillan Reference Library, 1977 (Pat Rice gives Scribners as publisher). Pat's comment is that Wilcox is her all-time favorite, giving centuries worth of English and French costume with lovely details of fabrics, hair style, accessories, and simple, easy to understand pictures and terms.

Costume in Context. Jennifer Ruby. Batsford, various dates. These are a series of books recommended by Loretta Chekani. They are children's books, but as I have said many times before and Loretta confirms, children's books provide information in the clearest and most direct fashion. The titles of the books follow and are self-explanatory. Underwear, 1996; The Romans, 1994; Medieval Times, 1990; The Tudors, 1995; The Stuarts, 1988; The Regency, 1989; The Eighteenth Century, 1989; The Edwardians and the First World War, 1988; and a book on each decade of fashion from the 1920s through the 1980s.

European Costume: 4000 Years of Fashion. Doreen Yarwood, Larousse & Co., 1975. 300 pp. Covers Minoan through Byzantine societies, then nonclassical Europe from 10,000 BC (very briefly, indeed) through about 1950. The illustrations are all line drawings, lively (if not great art) and detailed and sometimes provided with background scenery. Accessories, such as hats and headdresses, shoes, and jewelry, are shown clearly, and often separate detailed drawings of such accessories are shown. The text is more

general than that of Köhler, the illustrations being numbered so that easy reference can be made to them in the text. Sources of the illustrations are collected in a section that follows each chapter.

Unfortunately this book, which I have found useful, is no longer listed in *Books in Print*; however, a book that I suspect contains similar material, *Costumes of the Western World*, St. Martin's Press, 1981, is still listed and may still be available.

The Book of Costume. Millia Davenport, Crown, 1948 (out of print). Covers Ancient Orient to about 1870—about 1,000 pages of 8 point type. This book is a great classic that might or might not be worth searching for, depending on your passion for costume. The text is marvelouly detailed, beginning each chapter with a section of general information on the development of dress in that period and continuing to a minute description of each illustration, including the colors of the original work. There are some colored plates. The illustrations are almost all reproductions of sculpture or paintings, which has the advantage of giving a real feeling of the period and the drawback of sometimes being somewhat difficult to make out clearly.

COSTUME BY SUBJECT, PERIOD, OR LOCALITY

These books are each devoted to a specific country, a limited period of time, or a specific gender or article of clothing.

Underclothing

The History of Underclothes. C. Willett Cunnington and Phillis Cunnington, Dover Publications, 1992. 262 pp. Covers both male and female underclothing, Medieval through 1939. The text is extensive, well-written, and occasionally amusing. The illustrations for the earlier period are mostly drawings; but later, when preservation of garments was more common, there are photographs of the actual garments as well as reproductions of paintings, sculpture, and magazine and newspaper or catalogue illustrations.

Dress and Undress: A History of Women's Underwear. Elizabeth Ewing. New York, Drama Book Publishers, 1990. Recommended by Barbara Smith who says only, "What did women wear under those voluminous skirts? Read this book and find out. Covers Middle Ages to the present."

Fashion and Eroticism: Ideals of Feminine Beauty from the Victorian Era to the Jazz Age. Valerie Steele, 1985. Barbara Smith also recommends this book. No publisher was given in Books in Print and I am not sure whether or where it can be obtained, but Barbara's comment forced me to include it. She says, "This study of women's lingerie covers everything from the corset controversy ('She cut her liver in half!') to eroticism in the Victorian era ('Trembling, happy, your husband unlaces you.')."

Knickers: An Intimate Appraisal. Rosemary Hawthorne, Atrium Publishers, Santa Rosa, CA, 1995. (Sherry-Anne Jacobs gives the publisher as Souvenir Press, 1985.) No comments are offered, but the title is self-explanatory.

Bras: A Private View. Rosemary Hawthorne, Atrium Publishers, Santa Rosa, CA, 1995. Also rec-

COSTUMES

Continued from page 5

ommended by Sherry-Anne Jacobs. See above for original publisher and comments.

Men's Costume

Men's Fashion: The Complete Sourcebook. John Peacock. Thames & Hudson, 1996. This book was recommended by Loretta Chekani without comment, but since men's fashion references are notably thin, I was happy to include it.

Also without comment, for dressing contemporary heroes, Candace Schuler recommends:

The Power Look. Egon Von Furstenberg. Henry Holt, 1978 (Fawcett, 1979).

Elegance: A Guide to Quality in Menswear. G. Bruce Boyer. Norton & Company, 1987.

American Costume

Everyday Dress of Rural America, 1783-1800. Merideth Wright. Dover Publications. This book was recommended by Cynthia Pratt, who says it covers men's and women's clothing and one page of children's dress. The book, she thinks, is basically for reenactors because detailed sewing instructions are given. The first part of each section describes the item, organized from the skin out, and then describes how to make it. Especially good sections on the clothing of the common man and woman. In addition, there is a very well described section on the costume of the Western Abenaki Indians.

Early American Costume. Estelle Ansley Worrell. Stackpole Books, Harrisburg, PA, 1975. Essentially a book for theater costumers. Chapter 1 deals with designing for the theater. The remainder of the book is chronological from 1580 to 1850 in 10- or 20-year intervals. An excellent drawing is accompanied by text alongside. Covers everyone likely to wear clothing in America, from Indians and farmers to Puritans and expatriate upper class Englishmen and women. There is a chapter on constructing the costumes, including hats, sleeve ruffles, men's leggings, and so on. Unfortunately this book is out of print.

The Calico Chronicle: Texas Women and Their Fashions 1830-1910. Betty J. Mills. Lubbock Texas Tech University Press, 1985. Pat Rice and Victoria Thompson both recommend this book. Victoria Thompson says that it is full of information on how the garments were made, what the underwear was like, and photographs of actual dresses. There are close-up modern pictures showing details. At the end of a book is a chart showing styles, fabrics, and colors popular in each decade.

Medieval Costume

Medieval Costume in England and France. Mary G. Houston, Dover Publications, 1996. 226 pp. Covers Eng-

land and France from the 13th to the 15th centuries. Text predominates. There are eight small color plates on the inside of the front and back covers; larger black and white renditions of these plates appear in the book so one can see any details. The remainder of the illustrations are line drawings, some quite small, but clear. Of particular interest in this book is that the discussion of each century begins with a section on the construction of the costumes of the period. Patterns are displayed and explanations given of how the garments were put together. The book also gives details of ecclesiastical garments and discusses the differences in the religious orders. Individual chapters are devoted to armor in each period. For those who write books set in the later medieval period (nothing earlier than 1200 is covered), this is a reasonable and worthwhile reference.

English Weapons and Warfare 449-1660. A. V. B. Norman and Don Pottinger, Prentice-Hall, 1979. Line drawings, many relatively small (in the book margins) but clear. The text is clear and to the point, the illustrations of weapons make clear how they were used as well as their appearance. Details of the armor of each period are particularly useful; for example, an illustration shows how a mail hood (a coif) was put on and laced up, another shows how a shield was strapped to the arm and carried on a longer strap when not in use. I am not certain this book is still in print, but it was mentioned in the Barnes & Noble catalogue about two years ago.

Fifteenth and Sixteenth Century Costume

Tudor Costume and Fashion. Herbert Norris. Dover Publications, 1997. 832 pp. Book I and Book II in one volume. Book I covers 1485-1550 (the reigns of Henry VII and VIII). Book II covers 1550-1600 (the reigns of Edward VI, Henry II of France, Prince Philip of Spain, Lady Jane Grey, Queen Mary, and Queen Elizabeth I). There are 960 line drawings and 25 colored plates. The text is clear and not only are the costumes described, but brief biographies of various personages of the period are given, often in connection to the reproduction of a painting in which costume is displayed. Every detail of clothing and accessories is discussed and illustrated and a few patterns, such as for folded headdresses, are provided. The book is more expensive than the general run of Dover publications (\$24.95) but well worth the expenditure for anyone who plans a book set in the Tudor period.

Vecellio's Renaissance Costume Book. Cesare Vecellio, Dover Publications, 1977. 156 pp. Covers only the 16th century in Continental Europe, Eastern Europe, Africa, Asia, and America (how reliable the costumes for Africa, Asia, and America are I hesitate to say, since three illustrations in the African section are provided for Prester John, his page, and one of his chief assistants). There is no text at all, except the legends for the illustrations. These identify the costumes in an unfortunately vague manner (for example, "Old

attire of soldiers and bravos" or "Current costume of Karamanian noblewomen"), although occasionally a date is given. The illustrations are reproductions of woodcuts, which sometimes make details unclear. There are a few interesting features, woodcuts of various piazzas in Venice, and illustrations showing a kind of mixture of skis and showshoes for people in the arctic regions.

Eighteenth Century Costume

The three following recommendations and the comments on them come from Barbara Smith, who says they are the best ones on her own shelf.

An Elegant Art: Fashion and Fantasy in the Eighteenth Century. Edward Maeder, ed. Los Angeles County Museum of Art. (Books in Print lists this as Abrams, 1983). Compiled for an exhibit of 18th century costume at the Los Angeles Museum of Art with photographs of costumes to show you how the clothing really appeared. Lots of details about the time period.

Eighteenth Century Clothing at Williamsburg. Linda Baumgarten. The Colonial Williamsburg Foundation, 1986. Contains photographs of actual costumes plus text about everyday life in the Colonies.

The Age of Napoleon: Costume from Revolution to Empire. Katell le Bourhis, ed. Metropolitan Museum of Art, 1989. A study of clothing from 1789-1815. This oversized volume contains many photographs of French costume, from ladies to soldiers.

Costume in Detail, 1730-1830. Nancy Bradfield. Costume and Fashion. This book is available from the book discounter Edward R. Hamilton, Falls Village, CT 06031-5000. A collection of drawings and studies coupled with detailed text. Dresses and accessories are described in various views as well as the construction of the garments. Not inexpensive (\$24.50).

Nineteenth Century Costume

English Women's Clothing in the Nineteenth Century. C. Willett Cunnington. Dover Publications. 460 pp and 8½" x 11". Everyone recommends this book. Cynthia Pratt comments that it covers 1800 through 1899, breaking the period down into decades and then covering each individual year. "In addition to daywear, evening wear, underwear, and outerwear, this book includes what jewelry was popular, what the footgear was like, what the color and fabric names were, and some information on where your character would have purchased things as well as what she would have paid for them." Hairstyles and hats are also covered from year to year, and at the beginning of each decade there is a description of how clothing changed from the previous period. The illustrations are drawings and photographs. Most of the drawings are taken from ladies' magazines of the particular date. Barbara Smith mentions that there are over 1000 illustrations.

Children's Fashions 1860-1912: 1,065 Costume Designs from "La Mode Illustre." JoAnne Olian, Dover Publications, 1994. 128 pp. This book is recommended by Carolyn Lampman. The Dover catalogue describes it as "365 illustrations depict youngsters in unfitted pleated dresses, lowwaisted smocks worn by both sexes, sailor suits, and much more." There are captions, but probably no text. (I have not seen this book.)

Wedding Fashions, 1860-1912: 380 Costume Designs from "La Mode Illustre." JoAnne Olian, Dover Publications, 1994. 96 pp. This book is also recommended by Carolyn Lampman. The catalogue says that the illustrations are accompanied by descriptive captions. I have not seen this book but there is probably no text.

Victorian Fashions and Costume from Harper's Bazaar, 1867-1898. Stella Blum, ed. Dover Publications, 320 pp. Recommended by Pat Rice, who says the illustrations and color plates are wonderful. Barbara Smith, who also recommends this book, comments that the illustrations depict gowns for morning, tea, dinner, balls, travel, weddings, funerals, and so on. The catalogue blurb mentions that shoes, hats, and other accessories are also shown.

Carolyn Lampman also recommends the paper dolls that appear in the Dover catalogue. A few titles follow: Antique Fashion Paper Dolls of the 1880s, 1984; Victorian Fashion Paper Dolls, Theodore Menten, 1984; American Family of the Colonial Era, Tom Tierney, 1983; American Family of the 1890s, Tom Tierney, 1987; American Family of the Pilgrim Period, Tom Tierney, 1987; Great Fashion Designs from the Victorian Era, Tom Tierney, 1987.

Contemporary Costume

Candace Schuler reminded me that although most people think of costume books as being historical, authors of contemporary works also need to clothe their characters. She offers the following books as useful, but unfortunately without specific comments for each.

The Language of Clothes. Alison Lurie. Random House, 1983.

Dressing Rich. Leah Feldon. Putnam, 1984 (Ballantine, 1987.)

Looking Terrific. Emily Cho. Ballantine, 1987. Color Me Beautiful. Carole Jackson. Ballantine, 1987.

Roberta Gellis has had lots of experience "dressing" her characters in period clothing. Her books include Shimmering Splendor and novellas in the anthologies Irish Magic and Irish Magic II, all published by Kensington.

"You can tell more truth in fiction...and get your jabs in."

- William Weld

Tahoe

Let the Good Times Roll A Conference Update

Things are hopping here at Conference Central. Labor Day is looming as I write this, and October will be here by the time you read these words, with the conference a scant two weeks away. So let's see how things are shaping up.

EDITORS AND AGENTS

Many of the editors, agents, and other publishing professionals who have announced their intention to attend this year's conference haven't yet (as of early September) sent in their registration forms, so the list of names you'll find in this month's sidebar only represents the early birds. Still, it's already shaping up to be a very fine flock. (Note: Names preceded by an asterisk are individuals who have reserved a room at the hotel but are not yet formally registered for the conference.)

VIRTUE TO BE REWARDED, AT LAST?

Complete the following sentences: "WE ALL OWN TOO MANY "A PERSON CAN NEVER HAVE TOO MANY

If you answered "BOOKS" to both sentences, you've come to the right place. Thanks to well-meaning family members, easy-to-misplace reply cards from books clubs, and our own ever-changing interests, most of us harbor a guilty shelf filled with books we already owned, don't need, or have outgrown. And yet we hunger insatiably for more. (Or am I just projecting here?)

The point is, a wide variety of research books and books about the craft of writing have been donated by NINC members to be given away to lucky conference attendees at a drawing to be held on Saturday night at the conference. If you're coming to the conference and would like to donate one or more such books, join the fun! The books need not be new, but they should be in fair condition and of potential use and interest to your fellow writers.

Each conference registrant will find a numbered ticket in his or her conference packet. Additional tickets will be awarded to NINC members who attend the Annual Business Meeting and (gasp!) vote in the election, and for other acts of valor committed throughout the conference.

The books will be displayed during the dinner on

Saturday night, and the winning numbers will be announced midway through the contra dance that follows. If your number is called, you can pick any one book that appeals to you from those still remaining on the table. You must be present to win! ("Feeling lucky, punk?")

TIPS FROM ELANE OSBORN

Elane lives in Reno, not far from the conference site, and she offers these final words of wisdom, some restaurant tips, and (see sidebar) an overview of entertainment in the Reno/Tahoe area during the weeks bracketing the conference.

WORDS OF WISDOM: Bring chapstick and body lotion. Tahoe's elevation is roughly 6,000 feet, and people who aren't acclimated often find that dry lips and itchy skin are the price they pay for all that clear, crisp mountain air.

RESTAURANTS: If you have transportation and would like to enjoy a breathtaking view of Lake Tahoe with your meal, Elane recommends the following South Lake Tahoe restaurants: Friday's Station or (more expensive) The Summit. And for a five-star meal in Reno that's so good that you won't care that there's no view, try Harrah's.

ENTERTAINMENT: If you see a listing in the sidebar for a show you think you'd like to attend, please be sure to use the 800-number to phone that hotel and doublecheck the dates, since the performers' schedules sometimes change on short notice.

THE LAST ROUND-UP

That about does it for this month's Update. Over the past months, I've tried to give you a glimpse of what you have in store at this year's conference, but nothing can match the experience itself. With six weeks to go, we have roughly a hundred registrants, with 90 percent of our hotel room block filled, and new registrations are arriving in my mailbox every day. It's getting late...but it's not yet too late. There's still time to join us in Lake Tahoe and take part in this year's conference. Think about it, won't you? We'd love to see you there.

- Judy Myers, Conference Coordinator

Tahoe 198

EDITORS & AGENTS ATTENDING THIS YEAR'S CONFERENCE

EDITORS & PUBLISHING PROFESSIONALS

Stacy Creamer, Vice President and Senior Editor, Penguin Putnam, Inc.

Jennifer Enderlin, Executive Editor, St. Martin's
Press

Beth de Guzman, Senior Editor, Bantam Books Eileen A. Hutton, Vice President, Brilliance Audio Diane Moggy, Senior Editor and Editorial Coordinator, MIRA Books

Hilary Ross, Associate Executive Editor, Penguin Putnam, Inc.

Matthew Shear, Vice President and Publisher, St. Martin's Press

Isabel Swift, Vice President, Editorial, Harlequin *Nita Taublib, Bantam Books

*Caroline Tolley, Pocket Books

Marsha Zinberg, Senior Editor and Editorial Coordinator for Special Projects, Harlequin Claire Zion, Executive Editor, Warner Books

LITERARY AGENTS

Mel Berger, William Morris Agency, Inc. Ruth Cohen, Ruth Cohen Agency, Inc. Robert Gottlieb, Executive Vice President, Member of Board of Directors, William Morris Agency, Inc.

Robin Rue, Senior Agent, Writers House *Karen Solem, Writers House Laura Tucker, Richard Curtis Associates *Maureen Walters, Curtis Brown, Ltd.

NOTE: Names preceded by an asterisk are individuals who have reservations at the hotel but have not yet submitted their conference registration forms. Therefore, we have listed their names and companies, but not their titles. Every attempt will be made to include complete information in the conference program for all editors and agents attending the conference.



SHOWS AVAILABLE IN RENO

HARRAH'S (1-800-367-9544): Broadway Showstoppers is a family revue; Lipstick offers adult entertainment.

HILTON (1-800-258-7366): Aerius, advertised as a "high-flying stage spectacular...of dancers, acrobats and gymnasts," has won six "Best Show" awards. Also, Huey Lewis & The News, October 17.

ELDORADO (1-800-648-5966): Spirit Of The Dance, a "blockbuster Irish dance spectacular," continuing through October. Also, The Great Italian Festival, October 10-11.

JOHN ASCUAGA'S NUGGET (1-800-843-2427): Marty Stuart, October 8-14); LeRoy Parnell, October 16-17.

SILVER LEGACY (1-800-MUST-SEE): Tony Bennett, October 9-10; Kenny Rogers, October 16-17; The Righteous Brothers, October 23-24.

SHOWS AVAILABLE IN LAKE TAHOE

(South Shore)

HARRAH'S (1-702-588-6606): Etta James, October 9-11; Paul Revere And The Raiders, October 16-18; Crystal Gayle, October 23-25.

HARVEY'S (1-702-588-2411): Tap Girls (through October).

CAESARS (1-702-588-3515): The Doobie Brothers, October 16-17.

Random Audit Survey Report: **Dutton Signet Mass Market**

Regarding your Novelists, Inc. Random Audit, we have completed our review of the books and records of Penguin Putnam Inc., through July 21, 1997, for the title chosen randomly by the Board of Novelists, Inc.

Before reporting the results of this particular review, let us provide a brief description of Royalty Review Service, Inc. and how we operate for individual authors.

In 1992, after a long career in the publishing industry. Paul Rosenzweig developed Royalty Review Service, Inc. (RRS), providing assistance to authors, agents and publishers, in confirming the accuracy of their royalty statements.

We begin the review process with our examination of the publishing contracts, other agreements, relative correspondence, and the most recent three years' royalty statements provided by the author and/or agent. preliminary review is conducted in total confidence, without the publisher's knowledge, and at no charge to the author and/or agent. The decision to proceed further, reached jointly by the author and/or agent, and RRS, is accompanied by a fee agreement between the parties. There is no advance cost, and the fee, under "normal" circumstances, is determined as 1/3 of the recovery from

the publisher. If there is no recovery, there is no fee; the author's only cost would then be the out-of-pocket costs (travel, etc.) in connection with the royalty review with limits on costs set in the contract between the parties.

After an agreement between the author and RRS has been signed, the publisher is notified by the author, that RRS has been retained. At that time, a letter from RRS is sent to the royalty manager requesting that specific documents be made available to us at the time of our visit. All negotiations concerning the review are conducted between RRS and the publisher, but the author and agent are kept informed of status by periodic reports. Any offers of settlements are reviewed with the author and agent before final action is taken.

For a random audit by an association (and we have completed them for a number of author groups), the fee is set in advance with RRS, and the author bears no cost, whether or not there is a recovery.

The author of the title chosen for this random audit, originally represented by an agent, signed a two-book contract with Dutton Signet, a division of Penguin Books USA, in March 1994, containing a clause that stipulates, "It is understood and agreed that the Works herein provided shall be separately accounted for." Since the author and her agent parted ways prior to the distribution of the first royalty statement. Penguin allocates earnings and generates separate royalty statements, based on the Author's Agent clause of the contract, for each party.

Book #1 of the contract, which was the title chosen by Novelists, Inc., was published in March 1996, as a \$5.99 mass market paperback by Dutton Signet. Copies of the printer's invoices, provided by Penguin, indicated that there were three printings of the title:

	# of Copies
September 1995	25, 7 42
January 1996	176,293
February 1996	9,307
Total	<u>211,342</u>

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ROY PER	TITLE	COV PR	CURR UNITS	POV W	CURR AN	T CURR U		2004
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Jan-97	Book #1	\$5.99	14	4	2.19 8.5		3.59	49
Jul-97	Book #1	\$5.99	1		3.00 8.5		26	49
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	Jan-97	Book #1	\$5.99	AST F	ublishers	1,339.00		63.75
	Jul-97	Book #1	\$5.99	_				
					\longrightarrow	1.339.00	<u> </u>	

For the review period, from date of publication to July 31, 1997, the publisher's reconciliation of reported sales to copies printed was:

		# of Copies
Net Sales		80,290
Gross Returns	108,815	
Return to Stock	(2,928)	
Net Returns		105,887
Free/Promotion Copies		4,262
Destroyed		10,946
Remaining Inventory		8,232
Unaccounted Units		1,725
Total		211,342

The printer's certification of September 12, 1995, indicated that, included in the Free/Promotion Copies above are 3,792 copies from the first printing, which were shipped as "preview edition, not for sale", a non-royalty transaction. The Penguin *Inventory Adjustment Analysis Report* reflects destruction amounts of 946 on the report dated 9/27/96 and an additional 10,000 on the report dated 2/21/97.

In the ordinary course of publishing inventory management, some units cannot be accounted for. It is not unusual to find units-accounted-for discrepancies of up to 5% as acceptable. In this case, the percentage is less than 1%. As of the July 31, 1997 royalty statement, Penguin is no longer holding any reserves for returns.

The July 31, 1996 royalty statement classifies 70 copies sold as "Special Sales," but this contract does not have a

"Special Sales" royalty clause. However, the sales detail reflects that 68 of the 70 units were copies "sold at a discount of sixty percent (60%) or more," so the calculation of royalties, pursuant to Clause 10(a)(iii), would not have changed.

On April 22, 1996, Dutton Signet signed a three-year licensing agreement allowing AST Publishers, Moscow, Russia, to, within 18 months of the contract date, print, publish, and sell Book #1 in a Russian language edition. The advance against additional royalties, which was collected by Penguin's foreign agent, Andrew Nurnberg Literary Agency, was remitted, less foreign agent commission, to Penguin USA in December 1996, and credited to the author on her January 31, 1997 royalty statement. As is often the case in foreign translations, Penguin has not received any additional royalty statements. At the time of our review, Penguin had not pressed the foreign publisher for royalty reports or additional remittances.

In addition, Dutton Signet signed a five-year licensing agreement with De Vrijbuiter, The Netherlands, on June 24, 1997, to print, publish, and sell Book #1 in a Dutch language edition. The Dutch publisher paid a flat fee for the right to a one-time printing of 15,000 copies. The fee was remitted via Internationaal Literatuur Bureau BV, the foreign agent, and received by Penguin, via wire transfer, on July 18, 1997, but the Subsidiary Rights Department did not receive the information until August 13, 1997. The remittance of 85% of the author's 75% share of the advance, less foreign commission, is credited on the royalty statement for the period ended January 31, 1998.

We have enclosed a summary of the activity reported

on the royalty statements for the period of our review. Note that there is a balance due the publisher of \$844.50, which the publisher may recover from future royalties, whether from sales of the work or subrights.

Although our review did not uncover any additional royalty amounts due, there is some language contained in this contract which we would recommend be negotiated out of all publishing contracts.

This particular Audit clause states, "Publisher shall not be required to retain supporting records for a period of more than two years after the rendition of any statement, such statement being deemed conclusive for all purposes after the elapse of such two-year period." This "look back" clause requires that the author review the books and records of the publisher every two years or lose the opportunity. Our preference is that the "look back" restriction be excised from the contract, or, failing that, the period be at least four years.

_	Reguler High De	scount Sales	(Returns)			Premi	um Sales	Return	15)					
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1.73								_	-		1	1	00.00.4	
1.66		T. 74									1			
8.26	3			0.46			48	-	_	_	1-	4 89	-	
												-		
SALES					Canada	RETU	NS							
NITS	Receipts	ROY %	CURR AMT	AvgCasc	CURRI	UNITS Recei		pits	S ROY%		RR AMT A		AvgDisc	
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CURR AMT

33,239,22 (1,402,24 557,94

32,394.92

CHECK

33,239 22

(844.30)

UNITS

80,290

ADVANCES

Random Audit Survey Report:

Continued from page 11

▼ In addition,

this Audit clause makes use of the term "independent Certified Public Accountant." We recommend that that be changed to "author's representative," since the author should not be required to hire a Certified Public Accountant in order to review the records.

While adequately provided for in this contract, there can be a problem with advances and accounting for a multibook contract. Be certain that each title is to be accounted for separately, including advances. If this is not clarified in the contract, royalties on the first title could be withheld until the advances on all the books covered by the contract are earned out.

Historically, the publishing industry has produced royalty statements that are difficult, if not impossible to understand. Although all publishers calculate royalties on either list price or net receipts, no two publishing companies have the same system or use the same format for reporting royalties. Complicating matters even more is that publishers may sell, merge, or otherwise dispose of their lists, or a publisher may simply "modify" their systems, with the added problem that information may not be carried forward properly from one system to another. This is only one reason that every author, whether independently or through a representative, should be reviewing his/her royalty statements on a regular basis, confirming that contracted royalty rates are being applied, that any ending unearned balance from a previous period is carried forward correctly and amounts due on any subrights deals are correctly credited.

You should be aware that the information provided by the editor, often the person an author speaks with on a regular basis regarding the sales of his/her book, can be drastically different from the information reported on the royalty statement. The reason for the conflicting data is because, although the editor usually knows what the print run(s) were, sales, returns, and reserve for returns may not be information available to the editor. Most royalty statements do not report print runs, but they do report units shipped, units returned, and units held as reserve for returns, resulting in net units sold.

Thank you for the opportunity to provide our services to Novelists, Inc. on this random audit. We look forward to working with you and your members in the future.

> Gail R. Gross Vice President



ASK THE LAWYER: OP vs OSI, Foreign Rights

Two of the questions this month deal with agents. I have decided to answer them together to make the members aware of a few of the issues that they should consider when dealing with their agents.

Question 1: The following "Term and Termination" clause has shown up in an agent's contract: "The Term of this Agreement shall be for the term of copyright in the Work, including all of the renewals and extensions thereof, or for as long as any compensation is received from the exploitation of the Work...." This appears to mean that the author and/or his heirs and the agent are tied together forever on that book, even if the relationship is severed before the

original contracting publisher has exhausted all its rights, sold any subsidiary rights it wanted to, and finally sometimes many years later, reverted the rights back to the author or his estate.

Is this as "greedy" on the agent's part as it appears to be? And would such a clause actually be supportable in court? Is there a way out for any author who unwittingly signed an agreement without truly understanding what the clause meant?

Answer 1: Generally, an author and an agent enter into a written agency agreement appointing the agent for a specific term—usually a year—during which time the agent attempts to license publishing,

subsidiary, and ancillary rights in one or more works. The term is often automatically extended after the initial term until either party terminates the agreement. Once the agreement is terminated the agent generally has no further right to license additional rights in those works or in new works. However, the parties can agree to whatever conditions they want and to whatever term they wish—including the term in the question (i.e., term of copyright)—and the Courts will enforce that agreement as long as it is not unconscionable or against public policy. I have seen clauses such as the one in question and I believe the courts would enforce

So far we are talking about the agent's right to license; what about the agent's right to receive his or her commission?

In the absence of a written agency agreement which agrees to the contrary, the agent's right to receive compensation is governed by the agency clause which is included in publishing and other (such as motion picture) agreements negotiated by the agent and executed by the author. Most agency clauses state that the agent has the right to receive all monies from all rights in the work granted to the publisher (or others) for so long as the grant is in effect (usually the term of copyright), to deduct the agency commission and to distribute the balance to the author. Generally the agency clause states that this right is irrevocable and that the monies are assigned to the agent.

What happens in the event the agent dies, or becomes incapacitated, or goes out of business, or just disappears, or the relationship becomes acrimonious? It is important that authors realize that under all these contingencies most publishers will enforce the agency clause, paying all monies to the agency unless both the author and the agent agree to split the monies with the author's share going directly to the author and the agent's commission going to the agent. The vast majority of agents are trustworthy and have contingency plans which we will explore in Question 2 below. However, these are all legitimate areas to be discussed with an agent prior to entering into an agency agreement. The author should be satisfied that his or her concerns have been met.

Question 2: What happens to an author's work when an agent becomes incapacitated or dies (in regard to the agent commission, etc.)? Who (if anyone) is entitled to the agent's commission after the agent's death? What wording would an author want in their agent/author contract to ensure that all rights revert to the author at the agent's death or disability? What are the steps that an author whose agent has died or is incapacitated should take to remove his or her work from an agent's estate and back into his or her own total control?

Again, almost every agency Answer 2: agreement and agency clause which I have seen states that the agent's right to receive its agency commission is irrevocably assigned to the agent. This means that the agent's death or incapacity does not terminate the agency's right to receive its commissions.

Agents take the position that this is fair because they have performed the services necessary for them to earn their agency commission when they have found a publisher and negotiated a publishing agreement for the author. However, there are continuing services which most agents render, such as reviewing royalty statements and licensing rights which the author has reserved (not granted to the publisher).

Many literary agents, whether single practitioners or members of larger agencies, are responsible and have provided for a succession plan within his or her literary agency so that there are either other literary agents or administrators who will perform these services in the event of the agent's death or incapacity.

Most, if not all, agents would refuse to agree that their agency commission would terminate in the event of their death or incapacity. However, they may be willing to agree to language in the agency agreement which requires them to provide continuing licensing services or to revert unlicensed rights to the author if they or their agency are unable to provide such service.

- Alan J. Kaufman

Alan J. Kaufman brings to this column more than 25 years of publishing legal expertise and a thorough knowledge of the business of publishing. He has been a literary agent/attorney and most recently for 19 years was senior vice president and general counsel for Penguin Books. He currently practices law with the New York-based intellectual property law firm of Frankfurt, Garbus, Klein & Selz where he specializes in publishing and media, with an expertise in copyright, libel, licensing, and contract negotiation on behalf of authors and packagers. For private, for-hire consultations, he can be reached by phone at 212-826-5579 and by fax at 212-593-9175.

DISPATCHES FROM THE FRONT

Dispatches from the Front is a "war stories" feature. If something funny, black comedy to slapstick, happens to you, send it in. Anonymity will be preserved, of course, if you desire it.



The Whites of their Eyes

Those of you who read this column in the February 1997 issue of NINK, when I wrote about "A Life of Glamour," may (or may not)

recall why I no longer do signings (i.e., to spare myself unnecessary humiliation). Well, as of today, I've decided to stop identifying myself to booksellers altogether. Why? To spare myself unnecessary humiliation. I have seen the whites of their eyes and have come away scorched.

I always read in publishing trade journals, or hear in speeches, or get advised in the bar at conferences that it's a good idea to develop relationships with local booksellers, and that it certainly never hurts to pop into any bookstore where your work is being sold and offer to sign the copies in stock. Indeed, I often hear my fellow novelists talking about what a warm response they've received upon casually dropping by bookstores to sign stock, about what good public relations this is, even about the word of mouth it helps to create.

I hope they're lying. I need to believe they're lying, because the alternative is pretty bleak (the alternative being that I apparently have all the credibility and charm of a used car salesman on Christmas Eve).

The first time I tried this seemingly simple public relations strategy was years ago, after I'd done about half a dozen books for Silhouette under the pseudonym Laura Leone. I was laughed out of a local Waldenbooks where the manager (a) didn't believe for a moment that I really was Laura Leone and (b) said that no one was allowed to sign books without the district manager's permission—and, no, they weren't willing to track him down just for my benefit.

Nor was this the only time I received this sort of response when popping in to offer to sign books for a (I use the term loosely) bookseller. However, one place, attempting to console me with the knowledge that there was nothing personal in their refusal, assured me that they'd given the same response to some mystery writer who had dropped by a few weeks earlier. They thought his name was Ed McBain or something.

Needless to say, I took a long (long, long) break from casually popping into bookstores and offering to sign my books. But when my most recent book came out in August, I decided it was time to get back on the horse.

By LAURA RESNICK

So, okay, I gird my loins (I use the term figuratively) and boldly pop into a local bookstore where I offer to sign my new book

which has been on the stands for several weeks.

They don't have it. And their computer lists it as still unpublished, which is why they haven't even ordered it. Moreover, they think this is a glitch in the entire computer system for their chain nationwide, meaning the book probably isn't in any of their stores.

After being revived by paramedics, I go home and make lots of phone calls to the East Coast. When nothing I learn seems to support this store's theory. I call them back for more information. They take another look at their monitor and admit that, for all they know, this might just be a problem in their own computer, not the nationwide catastrophe they initially suggested it was.

My stomach takes another hour to calm down, and I wish I'd never popped into that bookstore in the first place.

But I'm a slow learner. So today... I casually pop into a bookstore where a friend has seen my current book on the New Releases table. It's a local independent about 15 minutes from my home. This is probably, I assure myself, the sort of place which thrives on establishing friendly relations with local authors.

I enter the store and identify myself. The bookseller (I use the term ironically) stares blankly at me. He certainly doesn't appear pleased that the author of one of his stock items has popped in. I offer to sign his two copies of my book. He hems and haws, sways and stutters, gurgles and gibbers. Hoping to gracefully move things forward, I ask if he perchance has any "autographed copy" stickers on hand? His negative response is issued in a tone suggesting my question is in bad taste. I say that that's okay, I have brought some "local author" stickers with me which we can use instead.

A look of dark suspicion comes over his features. "What would these stickers look like?"

I pull them out. (You know what they look like. Little gold stickers that say—wait for it!—Local Author.) He reluctantly agrees to let me sticker each book (probably because he has seen that he can easily peel them off). When I open the cover of one book and flourish my pen, an expression of panic washes across his face, and his tongue stumbles over a request that I NOT DO THIS.

I suddenly feel like someone who has crashed a private dinner party. I feel like I've been caught defacing the Constitution. A chill of embarrassment runs through me.

"Because.... you want to be sure you'll have no trouble returning these?" I venture.

He burbles his agreement with this shrewd guess of mine.

Absorb this with me for just a moment: a local independent bookseller refuses to let me sign two whole copies of my new book because he'd rather vigorously protect his right to return them than try to sell them. (Me, I don't even know if a signature would indeed impede

returns on a hardcover; but he obviously isn't willing to risk it.)

Trapped in that zone between anger and humiliation, the power of speech deserts me (so that's what it takes, in case you've wondered) and I stumble out of the store without another word. Four hours later, I still haven't thought of a good comeback.

But next time I see the whites of their eyes, I think I'll iust run for cover.

You can find unsigned copies of Laura Resnick's new book, In Legend Born, wherever booksellers have bothered to order it and haven't yet returned it.

DISPATCHES FROM THE FRONT

Everything I Need to Know about Writing I Learned from My Dog

Never worry about the other dogs' looks, talent, training, charm, or good luck. They don't have anything to do with you. On the other hand, keep an eye on their bones. You never know when they might drop them, and you want to be ready to grab them when they do.

If you're having fun, you're doing something right. If you're not having fun, consider slipping your leash so you can go look for what is fun.

Work as hard as you can at what you're doing. Then take a nap.

It's okay to whine when things aren't going your way, but remember, you have to stop whining before you can do anything else.

Say thanks when someone gives you a pat on the head. Scratch what itches.

You never know if you're going to like the new dog treat until you give it a try.

Who said old dogs can't learn new tricks?

Keep your eyes open and your head up. You might miss something good, otherwise.

There are a lot of interesting smells around. Just

remember, no matter how hard you try, you can't check them all out. And some are more interesting than others, anyway.

Don't worry if all the fancy hound dogs are out chasing rabbits. If you prefer squirrels, forget the rabbits and go after squirrels with all your heart.

If you didn't find a bone at the bottom of the hole you just dug, dig another hole.

Just because the fancy greyhound gets there faster doesn't mean the three-legged mutt can't get there, too. In the end, it's not so much a matter of speed as it is of wanting to badly enough and of trying hard enough.

Be careful around cats. They have sharp claws and can draw blood, and, in the end, they're not worth the trouble.

If somebody leaves the door open a crack, stick your nose in and push. Who knows? You might get out that way!

Be ready to go for a walk when the opportunity presents itself. But don't forget that you need to lie in the sun occasionally, too.

Anne Holmberg

Introducing...

The following authors have applied for membership in NINC and are now presented by the Membership Committee to the members. If no legitimate objections are lodged with the Membership Committee within 30 days of this NINK issue, these authors shall be accepted as members of NINC:

New Applicants

Ann Bouricius (Annie Kimerlin), Gahanna OH Patricia Bray, Endwell NY

Lynn Johnson (Raina Lynn), Foresthill CA Brenda Joyce, New York NY Jodie Larsen Nida (Jodie Larsen), Tulsa OK Penny Richards, Prescott AR Eva Rutland, Sacramento CA

New Members

Katherine Garbera, Davenport FL Dorothy Garlock (Dorothy Glenn, Johanna Phillips), Clear Lake IA



If you've been on any e-mail loops for writers lately. you've probably heard some of the current brouhaha over electronic publishing. The topic has been dissected and debated at length on at least four different lists I subscribe to, including NINCLINK. Given the interest (and furor), I figured it was time to devote a column to the subject.

Most discussions have touched on four major points: whether e-pubbed books are "real" or "legitimate" (especially in terms of membership in various organizations); how e-pubbing by print publishers will affect our contracts (especially reversion of rights); what exactly epubbing is and who the publishers are; and the viability, advancements, and future of this new branch of the industry. I'm going to focus on the last two points, since the first is too controversial for this peace-maker and the second is too far-reaching for me to do it justice here.

Electronic publishing consists of making books available either on computer disk or online for download. Some traditional publishers are just starting to offer titles (already published in paper) in this format, which goes back to the contracts/rights question. But most of the discussions I've seen online have focused on those books offered only in electronic format, via a growing group of electronic publishers who specialize in this new market. I looked into four such publishers, all of whom pay royalties and none of whom require money from authors who publish with them. (There are vanity e-publishers out there too, but I ignored those.)

The oldest and most established is Hard Shell Word Factory at www.hardshell.com, with titles available in various genres. New Concepts Publishing at www.newconceptspublishing.com hasn't been around quite as long, but like HSWF offers about 50 titles. Dreams Unlimited's site at www.dreams-unlimited.com is still fairly rudimentary, only offering about a dozen titles so far. A new addition is Book Train. Their site at www.booktrain.com was still under construction as of this writing, but should be viewable by the time this column hits your mailboxes. Typically, royalties paid for e-book sales are much higher than those for print books, on the order of 25% of purchase price or \$1 per book sold. No one seems to be making big bucks yet, as this format is just catching on, but certainly the potential is there.

This brings us to the technology itself. As many people asked online, who wants to read a book sitting at their computer? Actually, it's not a foreign concept at all to the vounger generation, but for us more traditional sorts, help is on the way. As Eyan Maxwell mentioned in his August column, several e-book readers are supposed to be making their appearance this fall. I checked out some Web sites and now am here to report back.

The most affordable (at first, anyway) will be the Librius "Millenium Reader" (www.librius.com). Retailing for \$199, it will be about the same size and weight as a paperback book, and looks like those electronic pads everyone carries around on Star Trek. According to their Web site, Librius plans to work "with bookstores and supermarkets to develop kiosks for downloading books, for consumers who are computer-wary." Next is the Softbook (www.softbooks.com), which will retail for \$299 "plus a commitment to buy \$19.95 worth of books and periodicals each month from the SoftBookstore."

Nuvomedia's Rocketbook (www.nuvomedia.com) and Everybook's EB Dedicated Reader (www.everybk.com) covly didn't mention price at their sites, but according to an article on the Librius site, the Rocketbook will sell for about \$500 and the EB for about \$1,500. The EB Reader has a leather cover and two facing color screens, making it look and handle more like a traditional (hardcover) book. Then there are the already existing laptops and "Palm PCs" that not only allow you to download and tote around an e-book or ten, but double as computers, too. Still, I probably wouldn't take any of these things into the bathtub with me!

I only have enough room left for a quick recap of some of the more interesting recent discussions on NINCLINK: booksigning safety; writing faster; exorbitant prices for used "classic" titles; literary attorneys vs agents; fonts; release dates vs availability; confidentiality of NINCLINK; and industry news vs gossip. We've also been coordinating conference travel plans and getting updates on the weather at Lake Tahoe. I hope to see you there! If you're not "linked" yet, just send an e-mail:

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Subject: Your-Ninc-Membership-Name (as it appears in the

Body: SUBSCRIBE NINCLINK Your-First-Name Your-Last-Name

Remember, send me any useful Web sites or online news you run across, at BrendaHB@aol.com.

See you online!

Brenda Hiatt Barber :)

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EAST OF THE HUDSON

THE BLACK HOLE

I reached up into the cubbyhole above my desk just now for the stack of clippings, e-mail, and faxes that serve as grist for this column and got a rude surprise. Colleen, the Housekeeper, has struck again.

Colleen is a very quiet, thoroughly patient woman who is offended by my desk. And once in a while she fixes it, destroying my life.

In this case, she managed to throw away my grimy old scrap of newspaper that just happened to be the best column material I had gathered all month.

I do hate it when that happens.

Luckily, I am tricky and resourceful. I am also computer-literate enough that I could delve into the archives of the New York Times all by myself, for free, and resurrect the clipping. Ain't technology wonderful? So herewith, the story of what happens when you get selected as an Oprah author.

Jacquelyn Mitchard, handsome 45-year-old newspaper columnist and PR consultant (read scrambler for a buck, like most of us), was struck by Oprah lightning last year, when her book, *The Deep End of the Ocean*, became an early pick by America's favorite TV book plugger.

Mitchard's experience and her perspective are both helpful to those of us who put words on paper because they put several trends into perspective.

For instance, numbers. Mitchard's book was already a substantial success. Purchased by Viking as part of a \$500,000, two-book package, it had about 100,000 copies in print, very respectable indeed for a first novel. But when Oprah called, all hell broke loose. Suddenly, the publisher had a winner and pumped 815,000 more hardbacks into print.

Fat City.

Followed by two million paperbacks.

And a movie deal for a feature to be released this fall starring Michelle Pfeiffer.

And, alas, the inevitable fall. Second novel released this year, to little fanfare and fewer sales. The publisher put out 400,000 copies but hasn't managed to sell many, despite a big tour and lots of effort.

Mitchard has, thank the Good Lord, a relatively level head. She told the NYT that she does feel a bit like the "Ricky Nelson of authors." She put some of her money into a new house, and she continues to write, albeit with downsized expectations.

A widow with five children, one of whom she adopted

after her first husband's death in 1993, she fell in love again, this time with a 32-year-old carpenter who was pounding nails on her house. They married and are quite happy, it seems. Congratulations.

There are some negatives. Mitchard notes that the Oprah experience sometimes makes her feel as though she has somehow grown a green skin. She also has to deal with prying reporters digging into essentially private matters, like the fact that her father is angry with her for refusing to donate one of her kidneys to him.

She says, though, that she isn't going to give any of the money back, nor is she going to say she's sorry for being anointed by the snake-oil saleswoman of daytime talksoaps.

I say, good for Mitchard, both for cutting off a nice chunk of life and for realizing that serendipity played a role in her fortune. Lightning can strike in this silly business of ours, but it's probably pointless to stand around waiting for it to happen.

BREAKING CHAINS

Colleen did miss an interesting piece in *Publishers Weekly* about the plight of so-called small or regional chains, bookstores that have been trying to compete with the superstore superchains. Jim Milliot and John Mutter checked with such operations around the country and concluded that small chains are probably in worse shape even than independent bookshops.

The reason is that individual booksellers are better equipped to carve themselves out a niche, in terms of either selection or geography, than are chains of anywhere from three to a dozen stores. The small chains are often undercapitalized, by comparison to Borders or Barnes & Noble, and often have antiquated inventory systems, aging facilities, and amateur or semi-pro managers.

The piece dwelt at some length on the collapse of Crown Books and of Lauriat's, both of which were once on a par with Borders and Barnes & Noble. But Crown and Lauriat got "left behind," in large part because they didn't spend the money to expand and/or update their operations. Where Borders had the deep pockets—for a time—of Kmart, and B&N got funding from a European retailer named Vendex before going public, the laggard chains stood still for a time and then began to fall behind in the race.

The only small chain that seems to be holding its own is Books-A-Million, a southeastern chain that is



EAST OF THE HUDSON

Continued from page 17

controlled by Andersen News Corp., the big independent distributor. PW characterized BAM as being careful to choose locations too small or remote to attract the big superchains and paying close attention to local tastes and customer bases.

The PW piece was interesting because it seemed to mark a departure from previous coverage of the David-and-Goliath battle between the superstores and smaller booksellers. The talk was much more about differing business models and much less about moral and literary purity.

Books are, after all, a business, not a religious calling. Although there are days I do wish I had decided to go to the seminary, after all.

SCRATCHING THEIR HEADS

Erica Spindler shipped me a clipping from the New Orleans paper about the disappointing sales of Newt Gingrich's new book. I am fond of Newt for one reason: he convinced me that even guys my age can shed 50 pounds if they really put their minds to it. But the news story, by David Streitfield of the Washington Post, suggested that there's more to literary success than 36-inch Levis and a soft-soap title like Lessons Learned the Hard Way.

Streitfield says that Lessons was remaindered in place after disappointing sales throughout the country. That's a sure sign that the publisher is taking a bath and therefore is willing to take a 50 percent write down on the cover price just to move a few copies. HarperCollins, publisher of the latest Gingrich tome, pumped 150,000 copies into the market, and will probably eat 100,000 of them. Streitfield said. That's quite a comedown from To Renew America, the first Gingrich book, which was a top bestseller around the country in 1995.

On the other hand, HarperCollins should have suspected that disaster was imminent. Gingrich's science fiction novel, entitled 1945, was so weak that its publisher, Jim Baen, admitted that he had "run fleeing, screaming into the night."

Politicians seem to have done poorly, indeed, this summer. Books by New York Governor George Pataki, former New York Congresswoman Susan Molinari, and former Senator Gary Hart also bombed in bookstores.

It all makes me wonder what Boomer Bill's memoirs will be worth.

TALK OF TINA TOWN

As you will remember, I cheap-shotted Harold Evans

when he relinquished his post at Random House because I regarded him as a self-promoting little Pommie with a fartoo-inflated sense of himself and of his own ideas. Harold has gone back to tabloid journalism now, and I suspect that his talents will be better used there than they were in book publishing.

But that leads us to Mr. Evans' wife, Tina Brown, highprofile editor of the New Yorker, which, like Random until recently, is controlled by the Newhouse family. Ms. Brown directed the updating of the New Yorker over the past several years, bringing in photographs, stripping out some of the old dead wood, and generally spending money like a drunken lottery winner.

Then, suddenly, it was over. She resigned, ostensibly on her own, to become the creative force in a new magazine that will be published somewhere under the corporate umbrella of the Disney Corporation. This magazine is expected to be the hothouse in which article-length nonfiction blossoms, somehow, into book-length works suitable for immediate adaption as feature films, miniseries, and other entertainment vehicles. It is the ultimate in what the Suits like to call "synergy," the creative process by which ideas become items of mass entertainment capable of generating millions, no, billions, of dollars in international profits for corporate stockholders.

New York, of course, had a ball with Tina's departure. Frank Rich, New York Times columnist, suggested that she had eloped with Mickey Mouse. Others were less kind, suggesting that they had never liked the bitch much anyway, and had only held their tongues for fear of what she might do to them in the pages of her venerated magazine.

I swore I was going to let up on some of the folks I have slammed in the past year, but Tina Brown just keeps popping up in my sights like a Barbie doll filled with helium, so here goes. I have in my career written several film treatments. I've read even more of them, and I have to say, they are neither an art form nor good journalism. So I have serious doubts that an editor, even one of such talents as Tina Brown, can mold a successful magazine while still keeping her eve on the silver screen.

I could be wrong, of course. Truman Capote wrote In Cold Blood in treatment style a long time ago and it has stood up very well. Many contemporary novels read like novelizations, as though they started as scripts and then some wordsmith added interior monologue to connect the scenes.

So maybe Tina is onto something here. Then again, maybe she caught a glimpse of the gate her husband had already been shown and decided to change genres, or careers, while she still could.

DON'T ASK IF YOU DON'T WANT TO KNOW

Want a new way to drive yourself crazy? Check the new bestseller lists at Amazon.com. Then, if you take such things seriously, you can go out and shoot yourself.

Amazon, the online bookseller, is now offering an instant, up-to-the-minute, constantly updated, unvarnished list of its first one million bestsellers. It is a way of seeing how your newest stacks up against, say, Clancy or Grisham or even your wife's recent effort. Talk about a head rush. Just imagine discovering that you are No. 448,372 on today's lists. I don't know if I could stand the excitement.

The list is a natural outgrowth of the computer technology that makes Amazon and the other online booksellers go. It is also an illustration of how silly the whole list thing

The Wall Street Journal revealed the existence of the megalist the other day, and, to my everlasting credit, I haven't brought myself to sign on yet. If and when I finally do, I will try and keep several things in mind.

For instance, Amazon only accounts for three percent of the country's book sales. In other words, my book may be going great in the rest of the market, regardless of its

six-digit listing on Amazon's sales chart.

"I understand how addictive (the Amazon list) can be, but maybe writers could spend their time more productively, like in writing a new book."

 John Sterling. **Broadway Books**

Then, too, a couple of strategically placed sales can have a tremendous effect on list placement. The Journal pointed out that one sale a day is enough to put you into the top 10,000 titles. One sale every few days gets you above 100,000. In other words, you

could stack this list much more easily than people stack, for instance, the New York Times list.

I guess maybe I'm jaded. I've seen my works go up and down on a couple of lists, and, frankly, it didn't change the outcome of my life. For once, I am tempted to agree with John Sterling of Broadway Books, who told the Journal: "I understand how addictive (the Amazon list) can be, but maybe writers could spend their time more productively, like in writing a new book."

But if you are into really cheap thrills, you can do what a novelist in upstate New York did. Lew McCreary's thriller, The Minus Man, was mired somewhere in the mid-600,000s of the Amazon list until he talked the coworkers at his day job into ordering a total of ten copies over the Net. In the course of an afternoon, the Minus Man had zoomed to No. 368 on the Amazon list. McCreary said he felt like a diver with the bends. "I surfaced much too quickly. I just hope I can stay up until morning."

I have had that feeling, but not for a while.

Now, I want to propose a little test of self-control. I intend never to sign on to the Amazon.com Web site, and, if I do. I promise never to check the ranking of any of my books.

 And I'll bet I'm the only one in NINC who doesn't. Bet, anyone?

THE STATIC

Impressions gleaned from a PW feature on the fall lists. Even in the downsized marketplace, with fewer publishers and fewer books, the talk is still focused on breaking through the cultural noise. Tom Wolfe's publisher, FSG, is pushing his A Man in Full (first printing of 1.2 million) by serialization and ads in Rolling Stone and Men's Journal and ads in New York City buses.

That's right, NYC buses.

"You have to remember, a lot of people beyond New York come into the city for the holidays," explained FSG marketer Laurie Brown.

Yeah, right, but most of them ride cabs, not buses.

S&S has two nightmares on their hands. First, they have to promote Hunter Thompson's new novel by touring him. (My humble advice? Keep him locked in the hotel room until it's time to sign books.) Then they have to try to make the new Stephen King novel, Bag of Bones, work at levels that will promise profits for both him and the company.

Thompson, notorious cut-up that he is, may draw lots of fans at signings, particularly if his new-found pal, Johnny Depp, drops by, but King is a harder sell, in some ways. S&S is trying some things to reduce what politicians would call King's negatives, like making the cover of the new book, Bag of Bones, appeal to a broader audience.

Read "female audience."

The cover of the book, for instance, features a female face with an ambiguous expression. She might be screaming, she might be laughing, it's hard to tell.

The folks at Scribners, the S&S imprint that will publish King in hardback, have also cleared the month of September of all other books so they can concentrate on making King's book work.

And they are putting out more bound galleys (nine thousand), than most books sell in hardback, just trying to draw booksellers and media people into re-examining King.

The author, for his part, has agreed to tour. This time he's not going to insist on appearing only at independent bookstores.

Wise choice, it seems to me. Maybe he's finally learned how books are really sold, nowadays.

Bottom line? Today's publishers are still very much caught up in the "big book" syndrome, although they claim to have backed away from it. There are still only a few books in each season's list that can make or break a company's balance sheet, and those are the ones that will get most of the attention.

Someday, the corporate giants will each publish one or perhaps two books a month. It will make everything, including the bestseller lists, ever so much simpler, don't you think?

- Evan Maxwell



Compiled by MARILYN PAPPANO

NINC Members on the USA Today List

The Fast Track is a monthly report on Novelists, Inc. members on the USA Today top 150 bestseller list. (A letter "n" after the position indicates that the title is new on the list that week.) Members should send Marilyn Pappano a postcard alerting her to upcoming books, especially those in

multi-author anthologies, which are often listed by last names only. Marilyn's phone/fax number is 918-227-1608, fax 918-227-1601 or online: pappano@ionet.net. Internet surfers can find the list at: http://www.usatoday.com. Members who write under pseudonyms should notify Marilyn at any of the above "addresses" to assure their listing in "Fast Track."

Member	Title	Aug 6	Aug 13	Aug 20	Aug 2
Rexanne Becnel	The Bride of Rosecliffe, St. Martin's Press		144n		
Sandra Brown	Fat Tuesday, Warner Vision	35	40	99	
Sandra Brown	Unspeakable, Warner	115			
Sandra Brown	Led Astray, Mira		197	28	11
Diane Mott Davidson	The Grilling Season, Bantam		27n	27	37
Geralyn Dawson	The Bad Luck Wedding Cake, Pocket	140			
Claire Delacroix	The Princess, Dell			169	94
Christina Dodd	That Scandalous Evening, Avon		60n	36	47
Barbara Freethy	One True Love, Avon	127			
Julie Garwood	One Pink Rose, One White Rose, One Red Rose, Pocket	105			
Tess Gerritsen	Life Support, Pocket	46	72	119	
Heather Graham	Drop Dead Gorgeous, Onyx	61	104		
Leigh Greenwood	Chet, Leisure				1281
Norah Hess	Tanner, Leisure				1421
Linda Howard	Now You See Her, Pocket			67n	86
Joan Johnston	The Substitute Groom: Hawk's Way, Silhouette	52n	62	141	
Jayne Ann Krentz	The Waiting Game, Harlequin	59n	56	104	
Jayne Ann Krentz	Sharp Edges, Pocket		VII. 1184 - 23	38n	31
Cait London	Rafe Palladin: Man of Secrets, Silhouette	139n			
Elizabeth Lowell	Dark Fire, Mira			127n	112
Debbie Macomber, Susan Wiggs, et al*	That Summer Place, Mira			89n	75
Patricia Rice	Blue Clouds, Fawcett Gold Medal		105n	137	149
Nora Roberts	Rising Tides, Jove	25	7	16	23
Nora Roberts	Sea Swept, Jove	88	199	136	117

^{&#}x27; et al.: written with other author(s) who aren't members of Novelists, Inc.

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