

Mr  
Joseph Harding.

I believe, at one period, at least within these three or four years, you were a good deal connected with the republication of rare books of old English literature?—Yes.

Has your experience upon that subject induced you to believe, that the gratuitous supply of these 11 copies has materially injured that branch of your undertakings?—It has positively injured it to a very great extent.

Do you not think, from your experience as a bookseller, that a considerable number of purchasers of that class of books, sufficient, if they had continued in the market, to have supported that branch of publication, have been taken out of the market by this gratuitous supply of books to the public libraries?—Very materially. I think so.

The Committee understand, that you were the undertakers of the reprint of that very important old work of English poetry, called, “The Mirror for Magistrates,” which was printed in 3 volumes 4to?—Yes, we were.

How many copies did you print?—The number of copies should have amounted to 168; but it fell rather short of the intended number, from the manner in which paper must be given out or supplied for small editions; in printing so very small an edition, there is great expense and waste in dividing reams of paper.

Was not the loss of 11 copies upon that work a very considerable loss?—It was a loss of 110 guineas; and we should not have been able to have supplied the copies to the public libraries, if the work had not been five or six years printing, in consequence of which some of the subscribers had declined.

Do you not think, that the supply to the public libraries of these eleven copies, materially damps the curiosity and wish to purchase of private purchasers?—Yes.

And therefore you think that was a material cause of the failure of that undertaking?—It did not fail; it was delivered.

When I say failure, it became a loss?—It became a loss from that circumstance, unquestionably.

Name any public libraries that subscribed to any or either of the four works you have named in your petition?—Trinity College, Dublin, subscribed to Dugdale’s “Monasticon Anglicanum.” They received the early parts, and after the passing of the Act, they countermanded the order, and have received them gratuitously under the Act.

Did the British Museum subscribe to any of them?—The British Museum subscribed to Wood’s “Athenæ Oxoniensis.” They paid for the first volume, and then stopped their subscription, and have received the others gratuitously. The Advocates Library, at Edinburgh, also subscribed for Wood’s “Athenæ Oxoniensis,” upon LARGE PAPER. The first volume, which they had received, was returned, and they have continued to receive the work upon small paper gratuitously.

Have not sets of works been spoiled by the gratuitous supply of parts of works which have been published subsequently to the Act of 1814, of which works the prior parts had been published before the passing of that Act?—Yes. We repurchased the first five or six parts of a large paper copy of Dugdale’s “Monasticon Anglicanum,” from a subscriber, at the sum of 27*l.* 16*s.* 6*d.* to supply the demand made by the British Museum, which entails a loss upon us of 136*l.* 10*s.* for this copy alone, as we could now sell the copy at this sum, if we were not compelled to give it under the Act.

When the last Act of 1814 was passed, had you any suspicion that it would include the gratuitous supply of works that had been begun prior to the passing of the Act?—Certainly not; and we were so confident, that such was not the intention of the Legislature, that until the opinion of counsel had been taken upon the point, we objected to the delivery.

Had you any suspicion, till some time after the Act was passed, that the reprint of a work which had been first printed prior to the Act of Queen Anne, unless there was some addition, was liable to this obligation for a gratuitous supply?—Certainly not.

If a book does not sell, is it any loss to you to deliver eleven copies, or are the copies then of any more value than waste paper?—Certainly they are. Many persons fall into an erroneous opinion, that a bookseller’s stock in his warehouse, is nothing but waste paper. Nothing can be more erroneous than that supposition. The remainders of books produce at trade sales, very often,  
double

double and treble the original publishing price, after the sale of the book has been suspended. I will name two or three instances. Edmondson's *Heraldry*; the large paper copy of this work, in 2 vols. folio, was published at five guineas; the remainder sold at a trade sale, from one bookseller to another, at 15*l.* per copy, four years ago. Hawkins's *History of Music*, in 5 vols. 4to. was published at three guineas, and the remainder sold, at a trade sale, for three guineas and a half per copy, unbound. There is also Cavallo's *Natural Philosophy*, 4 vols. 8vo.; that was published at two guineas, and the remainder sold at a trade sale, for 2*l.* 10*s.* per copy. I can name many other similar instances.

Of Mr. Ruding's *History of Coinage*, how many copies were printed?—There were 250 printed.

How many copies of Mr. Ruding's book were printed on the smaller sized paper?—200.

What would be the difference of cost between printing 200 and 211 copies?—The nineteenth part or portion of the whole cost.

Would the 50 large copies of Mr. Ruding's work, added to the 200 small paper copies, come within the 250, for which one price is charged, or would the whole price be charged for the whole 200 copies of the small edition?—The whole charge would be paid for printing 200 copies, and a very large expense would be incurred for printing 50 separate copies upon a larger sized paper.

Would the presswork have been increased by printing eleven copies of the smaller paper edition, in addition to the 200, beyond the cost of striking off these eleven copies?—The price of the presswork of the letter-press would have been the same as for 200, and there would have been a very considerable expense incurred in printing 1,188 impressions from the copper-plates.

Did you purchase the copyright of Mr. Ruding?—We engage with Mr. Ruding for a certain sum of money, for a certain number of copies. No additions are to be made in the next edition, unless they are to be printed separately, for the gratuitous copies.

You purchase the edition?—Yes.

Not the copyright?—No.

If you purchased the copyright of Mr. Ruding, you would give something in addition to what you do at present?—I am not prepared to say that we should.

Do you consider this as one of the works of which the copyright is of little or no value?—It is of little or no value, as far as the prevention of piracy goes.

Should you reckon the right of reprinting as of no value?—That would depend upon the number of copies taken, and if any first edition or second edition may be out of print.

Are you the owner of the plates?—No.

Have you the plates at present in your possession?—No.

Would you print the plates?—No.

Would the copyright of such a work, without the possession of the plates, be of any value?—It is so far of value, that we are now paying a large sum of money for permission to print an edition of it.

Suppose you had the copyright without the plates, would it be of any value?—It would be of little or no value.

After you had been at the expense of printing an edition of that work, and having had the use of the plates, could it answer any body's purpose to pirate it, until your edition was expended?—Certainly not.

If it were not for the delivery of these eleven copies to the public libraries, you would engage with Mr. Ruding for an edition of his work?—We have engaged with him, provided there is no addition in the body of the book, no amendments.

How many copies would you have of this edition?—I am not prepared to say. It is not gone to press yet. But I think I may say, we should have 250, positively. I say that positively.

And as there are to be no improvements or additions to the body of the book, you consider that you shall not be liable to the gratuitous supply of the eleven copies to the public libraries?—Clearly so.

The Committee would wish to ask you this question, namely, whether in treating for a reprint of any work, you would not refuse considerable improvements,

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ments, for the purpose of preventing the delivery of the eleven copies to the public libraries?—I would.

For instance, if a law book was offered to you for reprinting in a new edition, in which much important new matter might be introduced, and many additional references cited in various parts of the book, would you say to the author, “I cannot allow that, I cannot take the book upon these terms, for in that case, I shall be liable to deliver the eleven copies?”—I should.

Then, in that respect, you think the existing Act operates materially to prevent the improvement of books in successive editions?—It would so.

Would it be worth your while to print the improvements separately, or would not the expense of printing the improvements separately, be more than they were worth?—It would be so great an expense as to prevent the undertaking. The expense of publication must be commensurate with a selling price.

You state, that you should decline printing a law book, if there was any addition made to it; do you mean that answer to apply to small impressions, or to ordinary impressions?—If I considered that the book would meet with an equally good sale, without any alteration or improvement whatever, I would not print one.

That answer does not quite apply to the question put. The question is, whether your answer, as to law books, applies to a small or an ordinary impression?—I mean it to apply, not to a large impression, certainly, but to a small impression.

You have said, that the remainder of impressions of books, after a time, bring a high price among the trade?—Yes; they do.

Do you know any thing about Mr. Dibdin’s Decameron; do you know whether the whole impression has been sold?—If they are not sold, they are so nearly sold, that they are difficult to be got.

Do you consider that Mr. Dibdin has lost the full benefit of the value of the 11 copies delivered to the libraries?—Yes.

Do you recollect the price of the book?—Nine guineas.

What did he sell it to the trade for?—At different prices; 8, 9, and 10 guineas, I believe.

Might it be taken safely at an average of 8 guineas?—I think so.

Then he lost 88 guineas?—Yes.

Then you consider that sum as a positive sum out of his pocket?—I think so; but I am not the publisher of the book.

Do you know, from your experience as a bookseller, whether the private colleges purchase books for their libraries now, to any extent?—To a very great extent; many of them subscribed to the *Athenæ Oxoniensis*.

Do you furnish them with books?—We furnish them through the Oxford bookseller.

Do you not think, that they decline to purchase many books, because they can have access to those that are in the public library?—I think the existing practice must tend to that effect.

But, in point of fact, you have not found any decrease in the purchase of books by the college libraries since this Act?—We have not much experience in that line.

What will be the effect upon literature, if publishers are deterred from venturing their capital upon literary speculations?—I conceive, it must tend materially to the depression of literature, and to prevent the publication of books. It has acted in that way with respect to ourselves, and been ruin to Mr. Cotman’s book. With the permission of the Committee, I will read a few lines from a letter, to show the effect it has upon the man himself; I am speaking of Mr. Cotman, the author of an intended publication. This is an extract from a letter from Mr. Dawson Turner, of Yarmouth, who was kind enough to introduce me to Mr. Cotman, and he writes thus: “The not finding of any publisher who will undertake his work, added to what I have myself told him, as to the certain consequences of his publishing it himself, has had the effect of dispiriting him to a degree, for which I am quite concerned; but, indeed, I could not conscientiously speak otherwise than I have done.”

The Committee understood you to say, in your evidence, that you declined publishing that work in consequence of the obligation to deliver 11 copies?—Materially so; it was a doubtful speculation, and that turned the scale. I should state also, that Messrs. Longman & Co. had been in negotiation with Mr. Cotman for that work; what deterred them from undertaking it, I am not able to say.

Mr. Rees, again called in ; and Examined.

YOU have stated, that your house published Mr. Hooker's "*Muscologia Britannica*"?—We did.

Was the value of the eleven copies to be delivered to the libraries, specifically deducted from the consideration you gave him for his work?—It was.

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Owen Rees.

*Jovis, 30<sup>o</sup> die Aprilis, 1818.*

CHARLES W. W. WYNN, Esq. in the Chair.

Sir Thomas Edlyne Tomlins, Knt. called in ; and Examined.

YOU are a barrister at law, and parliamentary counsel to the chief secretary for Ireland?—Yes.

Were you employed as counsel in drawing the copyright bill in 1801, which afterwards passed into an Act of the 41 Geo. III. of the United Kingdom, c. 107?—I was.

Under whose directions was that bill drawn?—It was drawn under the particular directions of Mr. Abbot, late Speaker of the House of Commons, and now Lord Colchester, who, before the passing of the Act, was appointed chief secretary for Ireland ; I took my instructions from him, upon the existing law in Great Britain, and the deficiency of it in Ireland.

What was the law of copyright in Ireland, previous to the passing of that Act?—There was no statute law upon the subject, and the common law was the same in Ireland as England.

Was it the practice in Ireland, previous to that Act, to reprint all the saleable books printed in England, and to import them clandestinely into England, to the great injury of the proprietors of copyrights, and the reduction of the revenue, by evading the excise duties upon paper?—That practice was pretty notorious, and I had a good deal of information laid before me upon that very point ; and I have seen (and indeed frequently purchased) books first published in England, which were reprinted in Ireland ; every body, at that time, must have been acquainted with that practice.

Had an author in Ireland, protection in his own country for his copyright, or was it the practice to send his manuscript over to England to be printed, and was not his own work afterwards surreptitiously pirated in Ireland?—I know nothing of that ; but from the information given to me at the time, I understood that to be the case.

The Act of the 41st Geo. III, c. 107, has extended to Irish authors and proprietors of copyrights, the same protection which is afforded by law to English authors and proprietors of copyrights in England?—That was the very intention of the Act.

What was the object you were desired to keep in view, in drawing the bill of 1801?—The object was to assimilate the law throughout the United Kingdom, and to extend to authors and proprietors of copyright in Ireland, that protection which it was thought they were deprived of, by not having the statute of Anne extended to Ireland.

Did you advisedly draw that bill according to your views of the law, as it stood by the statute of Anne, and the decisions of the courts of law?—I did, certainly ; and I made out, at that time, a very particular statement on the subject, which I have laid by amongst my papers, but I cannot find it, which I should have been very glad to do, for I took a great deal of pains on the subject.

How do you understand the statute of Anne, as it regards the entry of books in Stationers Hall?—The statute 41 Geo. III, was drawn particularly to explain what was supposed to be doubtful in the statute of Anne ; and certainly, not only myself, but Mr. Abbot, understood the interpretation of the Act of Anne to be, that the entry at Stationers Hall was purely optional on the part of those who chose to avail themselves of the penalties under the Act. That was the

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construction put upon the Act, and to remove all uncertainty, was one of the objects of the statute 41 Geo. III.

Had you any particular ground for your construction of that Act?—The particular ground results from the wording of the Act itself, independently of any explanatory Acts passed upon the subject. The 1st section of the statute 8 Anne, c. 19, after enacting that the sole right of printing books shall be enjoyed by the authors and their assigns for 14 years, proceeds to impose penalties of forfeiture of the books, and one penny per sheet on persons reprinting them without consent of the proprietors. The second section then recites, very particularly, that “persons may, through ignorance, offend against the Act, unless provision be made, whereby the property *in every such book as is intended by this Act to be secured to the proprietor*, may be ascertained;” and enacts, “that nothing in the Act shall extend to subject any person to the penalties thereof, unless the title to the copy of the book is entered at Stationers Hall.” There are several other provisions, which follow, and then comes the fifth section, which is not an independent enactment, but a proviso, connected with the second section. This fifth section requires the delivery of nine copies of every book printed and published as aforesaid, to be delivered at Stationers Hall, for the King’s Library, two Universities, Sion College, &c. But the delivery of them depends upon the entries. This, at least, was considered as the operation of the statute of Anne, even without reference to subsequent Acts, which, perhaps, I shall be called to speak to afterwards.

Do you understand, that this entry enables parties to proceed for the forfeiture of the copies of the work, and the penalties of one penny per sheet?—It is expressly provided, that no person can proceed for the penalty without. The Acts of Parliament, which passed in the 15th Geo. III. (c. 58. §. 6.) and in 41 Geo. III. fortify this construction; and I suppose, the reason I am called upon to give evidence, is to show on what grounds the Act of 41 Geo. III. was framed, under the instructions of the late Speaker of the House of Commons.

You are the author of the Law Dictionary, in 2 vols. 4to, and of other legal works. What is your opinion, as to the effect of the claim on the part of the public libraries, of eleven copies of all works from authors and publishers of such works?—My opinion certainly is, that it is very unfavourable to authors and to literature, and particularly to the authors of such works as mine, which fortunately have sold very well; because when all the copies are sold, it is a direct loss to the proprietors of the sale price of those eleven copies which are delivered to the public libraries: and I cannot help saying (if I am at liberty to express my opinion,) that every author, and every man who undertakes a valuable work, would rather, in the execution of it (independent of any special law,) be looking to the public libraries for encouragement, than expect that he should be called upon to deliver eleven copies to them for nothing. Speaking from the experience I have had myself, my opinion is, that the consequence of this provision is a double disappointment to the authors, for instead of receiving the price of the eleven copies from the Universities, they have to deliver them without being paid for them. With respect to law works, the provision takes place as to them in a most injurious way, for the Universities, by the law as it now stands, are entitled to eleven copies of every new edition of a book which is published with additions and amendments; and as the additions and improvements, which are absolutely requisite in all new editions of law books, cannot be printed separately, the consequence is, that eleven copies of every such new edition must be delivered to the Universities. I should think, generally speaking, as far as I can have any opinion or knowledge upon the subject, that this regulation operates as a great discouragement to literature. In the case of the Law Dictionary, it would, I believe, make 60% difference in the amount of the profit.

In the remuneration you should expect to receive for any literary labour, or for a law book, since this Act of 1814 has passed, should you not expect, that the value of the delivery of these eleven copies would be so much deducted from the remuneration you should expect to receive?—No doubt; it operates in that way.

Are you aware of any statutory provisions respecting the entry at Stationers Hall, and the delivery of the copies of books to public libraries, previous to the statute of Anne?—By reference to the statute book, every member of the Committee must be as much aware as I am, that such provisions had existed.

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The fact is, that the first statutory provision on that subject was made by an ordinance of the Usurpation Parliament in 1643, chap. 12, and that alludes to the entry on the records of the Stationers Company, as being *an ancient custom*, as it is well known to be; and it provides against the printing of any books that were entered on that registry. The words of the clause are to this effect:—“That no person or persons shall hereafter print or cause to be reprinted any book or books heretofore allowed of and granted to the said Company of Stationers, for their relief and maintenance of their poor, without the licence or consent of the master, wardens and assistants of the said company; nor any book or books lawfully licensed and entered in the register of the said company, for any particular member thereof, without the licence and consent of the owner thereof; nor import any such book or books, or part of book or books formerly printed here, from beyond the seas, upon pain of forfeiting the same to the owner or owners of the copies of the said books, and such further punishment as shall be thought fit.” There is another provision also in another Act of the Usurpation Parliament of 1649, chap. 60, which enacts a like prohibition against the reprinting of any books entered in the registry of the Stationers Company; it is to the effect following:—“That no person shall hereafter print or reprint any book or books, or part of any book or books, *now entered in the register book of the said company, or which hereafter shall be duly entered* in the said register book, for any particular member of the said company, without the consent of the owner or owners thereof, nor counterfeit the name, mark or title of any book or books belonging to the said company, or particular members; nor shall any person put to sale any such book or books upon pain of forfeiture of the same, and of 6s. 8d. for every book.” I presume the Committee are fully aware of the two Acts of Charles II, under which the copies were first required to be delivered. One is the 13th and 14th of Charles II, c. 33, which was an Act to regulate the press. This, I believe, was the first Act which required the delivery of three copies, one for the King’s library, and two for the Universities. That Act was temporary, but was continued by several other Acts; the last continuing Act was the 4th and 5th of William and Mary, c. 24, s. 14. One of the continuing Acts was the 17th Car. II, c. 4. That Act contains two clauses, which appear to be permanent, and, as far as I can understand statute law, are in force at present. One of those clauses relates to the mode of delivering the three copies required by the 17th section of the 13th and 14th Car. II; and the other directs, that the printers *in the two Universities* shall deliver one copy of every book printed there, to the Keeper of the King’s Library, and two others to the Vice Chancellor of each University. These Acts appear upon the statute book.

Then if the Committee understand you, it appears, that by the parliamentary protection given to literary property by the parliamentary ordinance of 1643, no condition was annexed of a gratuitous supply of any copies, and that the same parliamentary ordinance which protects literary property by an entry upon the Stationers Company’s books, does not annex the condition of a gratuitous supply of any copies whatever?—Certainly not; that provision was made by the subsequent Acts of Charles II; neither of the Acts of the Usurpation Parliament required the delivery of the copies. Then came the Act of the 13 and 14 Car. II, which was made for the regulation of literary works, and which required the delivery of three copies of every new printed book, one to be delivered to the King’s Library, and the other two to the Universities. Then followed the Act of the 17th Car. II, which contains enactments independent of those in the Act of 13 and 14 Car. II.

Then what do you understand to be the object of delivering the three copies under the Act of 17 Car. II?—There appears to have been a double object, one to take care that no seditious or treasonable work should be published in the first instance; and the other to preserve copies for reference in the Universities.

Do you know whether the statute of 17 Car. II, which ordered the delivery of the three copies, one to the King’s Library, and the others to the Universities, was ever enforced; were the books ever delivered in pursuance of that Act?—I know nothing about that. Perhaps it may be right to mention, that there is an Act of which the Committee may not be aware; it is 17 Geo. II, c. 24, for securing to Buckley the property in Thuanus’s History, which being in Latin, was not fully protected by the statute of Anne. This Act requires

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the nine copies to be delivered, and assumes that intent of the statute of Anne, was, that nine copies of all works ought to be so delivered, whether entered at Stationers Hall or not. But I believe that assumption was contrary to the uniform practice.

The Act 54th Geo. III, c. 156, gives a copyright absolutely for 28 years, in lieu of the second conditional term of 14 years, under former Acts; do you conceive that the enactment of this additional right is of any particular value, especially with regard to law books?—As to law books, I should think it of no actual value at all, inasmuch as law works are undergoing repeated additions and alterations; and when such new edition is published of any law book, then a new copyright commences; but as to other works, it must be of some value, certainly.

Mr. John Martin, called in; and Examined.

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John Martin.

YOU are a bookseller?—Yes.

You are partner in the house of Rodwell & Martin?—Yes.

Are you not engaged in the publication of “Mr. Dodwell’s Scenes and Monuments of Greece?”—We are.

What would be the price of a complete copy of that work?—About 30 guineas.

What will the engraving of the plates and the colouring of them cost you?—About 3,000*l*.

What would be the amount of the 11 copies of that work to be supplied to the public libraries at the selling price?—The selling price would be 330 guineas.

And what would be the trade price?—The trade price will be about 275*l*.

If the copies were to go directly from the publisher to the subscriber or the public, what price would the publisher get for each copy?—Those copies which we ourselves receive subscriptions for, produce us the full price. For such as are taken by other publishers, we, of course, have only the trade price.

Does the retailing bookseller, who has copies at the sale price, sell at that or any other price?—He sells at the sale price.

On “Mr. Dodwell’s Scenes,” which of those prices would you lose by in delivering the eleven copies?—I conceive that we can only calculate our loss upon the trade price.

Should you expect any of the eleven libraries to be subscribers to this work, if the copies were not delivered in pursuance of this legal obligation?—I should expect they would. I see, by a reference to a book on the same subject, Mr. Mills’s “Magna Græcia,” that there are entered, amongst the subscribers, the University Libraries of Cambridge, Trinity College, Dublin, and several other colleges.

Does the placing 11 copies in these 11 libraries, in your opinion, benefit or injure the sale of the work?—I should conceive that any work so expensive as this would be materially injured by such delivery. It would have an injurious tendency.

Are works like Mr. Dodwell’s improved or not by accompanying them with letter-press, describing the scenes?—I should conceive that this work would be much improved by the addition of letter-press, as there is a great deal to be described, which cannot be done at the bottom of the plate.

If the law which requires the delivery of 11 copies to the public libraries continues, do you propose to publish the work without letter-press?—If that provision for the delivery continues, we shall publish it without letter-press.

Was any, and what application made to you, on the part of the French Government, to have this work to publish at Paris?—The proposition was made to the author, when he was in Paris; and on his return home, the work was shown, at the request of the French Institute, to the French Princes, to the officers of the French Government, and a great many others; and by them an offer was made, on behalf of the French Government, to publish the plates in four volumes, folio; each volume to contain a hundred plates, with accompanying letter-press; but the author, wishing it to be published in this country, declined the proposition.

Would it have been more beneficial to the author to have published at Paris?—I should conceive it would, certainly.

Is the proposed letter-press considerable in extent?—It will make, as near as we

we can tell, about a large folio leaf of two pages to each plate?—What would be the least possible cost of 11 copies of this work, if only the paper and working and colouring of the plates be considered?—The lowest price would be 144*l.*; the actual cost, not including the engraving.

That sum would not include any proportion of the engraving?—No.

That includes only the paper and working off, and colouring of the plates?—Yes.

Are the plates of that nature that they would receive any injury from the impression of 11 copies?—Decidedly, being done in aqua tinta, which will bear but a small number being taken off.

Then the Committee conceive, that there ought to be included in the cost, the quantum of deterioration that these plates would sustain, arising from the impression of the 11 copies?—My calculation is made, not including that.

How much letter-press do you think would be requisite to accompany each plate?—A large folio leaf, printed on both sides, would accompany each plate.

How many copies do you propose to print of this work, supposing the objection is removed?—We do not propose to do at first above 250.

But if there is a subsequent demand, you would print more by renewing the plates?—Yes.

Do the Committee understand you to say, that aqua tinta plates will successfully do more than 200 copies?—We shall be obliged to repair them, if the number exceeds 250. I have been making inquiries of Mr. Daniel, the best aqua tinta engraver we have, and he says, that a proper plate will not bear more than 250 copies.

Should you have any difficulty in making an addition of 230 or 240 copies?—No, if the mere plates are wanted; I am merely speaking of plates only; but if we have to print that additional number, it will be at considerable cost.

Suppose it should be necessary to make some additional copies, would it be necessary to engrave an additional 250 plates?—No, it would not be necessary.

But if, instead of 250 copies, you found it necessary to have 261, would not 11 additional copies cost as much in the striking off as the letter-press for 250 copies?—In the letter-press it would, certainly.

From your experience in the trade, what is your opinion as to the delivery of these 11 copies; what effect would the delivery of these copies produce?—It would be extremely injurious.

The class of books that you publish are mostly of the expensive kind?—At present they have been.

And very much adorned with plates?—They are; and we are undertaking, at this moment, several others of the same kind.

In all these works, do you not consider the delivery of the 11 copies a very serious load?—I do.

But this has not been burthen sufficient to deter you from the publication of these works?—It has not yet; but it will be so far a burthen, and may require so much consideration, that we shall not pay a large price to Mr. Dodwell.

Do you recollect any period at which you have had a greater number of expensive works in the course of publication than you have at the present time?—I do not; my experience in the trade is not very long.

But you never recollect any period of time at which you have had more expensive publications in hand than you have at the present moment?—I do not.

You have not been in this partnership with Mr. Rodwell until since the passing of this Act in 1814?—I have been only in the business three years.

How long has Mr. Rodwell been in it?—About eight years.

Therefore your answer is confined to your experience of three years since the operation of the Act?—Yes.

You probably have been acquainted generally with the state of the business in which you are now concerned, for the five years preceding?—I do not think that there have been so great a number of expensive works in that time as there are published now.

Then you do speak of the three years in which you have been in the business, and generally of the five years preceding?—Yes.

Is not the value of the 11 copies invariably calculated in your agreement with the authors?—It is added as one of the expenses.

But against the author?—Against the price we should pay, certainly.

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John Martin.

Is it your opinion, that the supply of the eleven copies of these expensive works, to the public libraries, has a tendency to damp the curiosity of the private purchasers?—I think it has.

Do you think that that curiosity is damped in private purchasers, by the opportunity they have of consulting these books in such public libraries?—I should conceive it comes from that cause.

Is it your opinion, that the ambition in private individuals to possess these copies, is damped by the circumstance of their knowledge, that such copies are already deposited in public libraries?—I should think it has.

Would you prefer selling a copy of this work to the University of Oxford, or not?—I should prefer selling it.

Therefore you do not think that the disadvantage sustained from the access which persons would have to this work at the University, is equal to the supposed profit which you gain on the sale of a single copy?—If I understand the question right, my answer would be this, that even the purchase of a single copy of an expensive work of this kind would be of importance, when we do not expect to sell more than 200 copies; one purchaser from the University of Oxford is of importance.

Would you prefer selling a copy to one of the Universities to not selling it?—I should prefer selling a work of this kind to one of the Universities.

Then your answer necessarily follows, that you do not think the disadvantage arising from the access, which persons would have to the University Library, is equal to the advantage of selling that single copy?—It is not.

If you had the option of either selling a copy to one of these public libraries, or to a private individual; would you not prefer selling that copy to the private individual?—I should prefer selling it to the private individual.

Mr. John Clarke, called in; and Examined.

Mr.  
John Clarke.

WHERE do you reside?—In Portugal-street, Lincoln's-Inn.

You are a bookseller?—I am.

In what line of business are you principally engaged?—Principally in the law department.

Have you lately declined the publication of any law books, with the improvement of notes?—I have.

What are they?—One of them was Mr. Anstruther's Reports.

Any others?—Not immediately, that I recollect; I have made reprints of law books, without the addition of notes or improvements.

Why did you decline the publication of them with improvements?—Because, if I had added the notes, I should have been necessarily obliged to deliver the eleven copies to the public libraries.

If you merely published a reprint of any book, without addition or improvement, you would not be liable to deliver the copies to the Universities?—I should not, having delivered them before.

Should you decline republishing a book with notes for that reason?—I should, in some instances.

Would this be the only ground upon which you would decline the addition of the notes?—Certainly, in small impressions.

Are there any other law books which the delivery of the eleven copies would deter you from publishing?—Yes, there are others; but I should wish to decline naming them, for being only in embryo, something may turn up at a future period.

But they are works that you should conceive would be injured by the delivery of the eleven copies?—Yes.

How does the delivery of the eleven copies operate upon the smaller editions of your law books?—In a great measure in preventing the reprint of them.

What effect had the delivery of eleven copies upon the printing of Mr. Hatsell's Parliamentary Precedents?—After deducting the expenses attaching to the publication, and if all sold, the balance of 52*l.* 6*s.* 8*d.* would be left; the Universities have demanded eleven copies, which came to 44*l.* 14*s.* 8*d.* and that leaves the small profit of 7*l.* 12*s.* on the impression.

You mean on the whole impression?—Yes.

Supposing the whole impression sold, the whole impression would have produced 52*l.* 6*s.* 8*d.* profit to the proprietor of the work, and the eleven copies to

to the public libraries would be 4*l.* 14*s.* 8*d.* and the difference would be 7*l.* 12*s.* which would be the net profit resulting to the proprietor upon the whole work?—Yes.

How long have you been in the business of a law bookseller?—All my life.

Did you ever know such a period as the present, at which there was such a heap of law books?—I think they have run on pretty nearly to the same extent, as far as I can recollect, for a great many years; some years a few more and some a few less; there was a considerable number of law books published about the period of 1700.

But you do not find any decrease in them now?—There is not such a vast number of law publications now going forward.

Is not the number now published felt by the profession in general, to be an immense load and an intolerable nuisance?—Some gentlemen think so, others do not.

If a law book was reprinted without any corrections, would it not be in bad credit?—In some instances it would, but not in all.

Does it not happen that every law book after its first publication, requires some subsequent amendment or improvement?—Nearly so.

Would not therefore a law book coming out without such corrections or additions be in bad credit?—Certainly.

Then you are in the dilemma, either to bring out a discreditable book, or give eleven copies of the new edition to the public libraries?—Yes.

You send a considerable number of law books to Ireland?—Not so much as I expected; the consumption is very small in Ireland.

Do you think it would have answered for an Irish printer to reprint law books there, for the consumption of the Irish bar?—Certainly not.

Did they not print law books there before the Act of 1801?—Yes, but not with a view to sell them in Ireland, merely, but to smuggle them into England and send to America.

If a great number of inferior editions of Irish law books had not been clandestinely imported into England, would it have answered the purpose of the Irish printer to have printed those books?—Certainly not.

From what you understand of the state of the press in America, would it now have answered, if the Act of 1801 had not passed, to have reprinted in Ireland English law books, for the purpose of transporting them to America?—It would not answer now.

Do you know the fact, whether certain of the Irish printers have emigrated to America, and have taken away the export trade between this country and America, in law books?—I do.

Was there not formerly a very considerable trade with the United States in law books?—There was.

That trade is now annihilated?—It is nearly so.

If the Act of 1801 had not passed, do you conceive that it would have been easy now to smuggle Irish piracies on English law books into England, to any amount?—They would endeavour to smuggle them from the cheapness of price, because they never encouraged literature.

Would they have been enabled so successfully to smuggle them in so easily, as they would preceding the Union?—I do not know whether the Excise Laws are stricter, but they would use every endeavour to do so, I am confident of it.

Are there not several English law books, particularly reporters, at this time, very scarce and dear?—There are.

Nevertheless, is it your opinion that it would answer to a law bookseller to reprint, even a small edition of these books?—Certainly not.

Is there any chance of selling a large impression?—None.

Therefore any additional expense upon the reprinting of these scarce books, must be an injury to the trade of the publisher?—Certainly.

What is the average number of copies of any impression of a law book which you print;—Sometimes 500; sometimes as low as 250; and sometimes 750; and 1,000.

The Committee wish to have the average number?—The general average is 750.

Do you think, that a tax to the amount of 3-4ths per cent. upon an impression of 750 copies, would prevent you from the publication?—I think it would, in some instances.

Mr.  
John Clarke.

Would the addition of 3-4ths per cent. per hundred upon the price, prevent a single purchaser of your customers from purchasing such books?—No, I should think not; it would not prevent a single purchaser.

Would a purchaser refrain from purchasing a book with that increase of charge?—No; some purchasers might not refrain.

If you calculated the expense of the eleven copies to be delivered to the public libraries, and if the addition of 3-4ths per cent. would reimburse you, what objection could you have to reprinting a book of the description you have mentioned, if it would sell very well?—I should have no objection, for I should take into calculation in the first instance, the probability of the sale, and if I felt that I should not lose a purchaser, I should certainly reprint; however, it is only matter of opinion, and this would apply only to small impressions.

Is it usual to print a larger impression than a 1,000 copies of a law book?—Very unusual.

Is not 1,250 considered a large impression?—A very large number indeed.

Not frequently printed?—Very seldom.

What number did you print of the last edition of Hatsell's Parliamentary Precedents?—250.

Was not 50 l. an unusually small profit to make upon such a work?—It certainly was unusually small, but it arose from the smallness of the impression.

But was it not an unusually small profit for a small impression?—It was a very small profit for that impression.

Is it not an unusually small profit to receive upon so small an impression as 250 copies?—The profit is extremely small.

Could you put a larger price upon the work consistently with the probability of sale to your customers, upon Mr. Hatsell's Precedents?—I could not; I am not the proprietor, but only the publisher.

In the law books which you undertake to publish, does it always happen that you sell the whole of the impressions?—Not always.

Are there not some works that fail?—Yes.

Then, in those of which you print only 250 copies, does it not sometimes happen that you only sell about 150?—Certainly.

In those cases where the publication fails, would the obligation to give eleven copies to the Universities produce any inconvenience to you?—Certainly not; if we do not sell them the loss would be small.

But are such works of any value in your warehouse?—Certainly, they are of some value.

Can you state, generally, what the proportion of price is for books in America, compared with the price of books in England?—I think they are dearer in proportion than we charge, generally speaking, but they save all the freight and other expenses of importation; however, they still charge higher for their own publications than we do.

Then, in general, do you think that the price of books is higher in America than in England?—I think so; I am speaking of law books.

Does it arise from the small impression they print?—I do not know what impression they print.

Do you know the fact, of Mr. Cooke, the author of the book on the Bankrupt Laws, when he printed one of his early editions, published also the additions and improvements separately, and advertized to give them away to the purchasers of former editions, when applications were made for them, and that in fact few applications were made, and that he could not dispose of them even gratuitously?—I certainly know that fact; it was so.

What is the price of paper in France?—The printing demy, of a thick quality, sells in France at 17½ francs, or 14s. 6d. English money, per ream; but the price may vary from 11s. to 14s. 6d.

What is the price of similar paper in England?—From 32s. to 36s. per ream.

What is the difference of duty upon a ream of such paper?—The duty upon a ream of demy paper is three-pence per pound weight; and a ream perfect will weigh from about 21½ to 24 pounds, according to the thickness of it.

Mr. Robert Baldwin, called in; and Examined.

Mr.  
Robert Baldwin.

YOU are partner in the house of Baldwin, Cradock and Joy, of Paternoster-row, booksellers?—Yes.

What do you apprehend to have been the effect of the regulation for the delivery

delivery of the eleven copies to the public libraries, upon the bookselling trade in general?—I think it has been a heavy loss to the bookselling trade; and in some instances, it has operated to check the publication of books, and particularly to prevent additions and improvements to old editions of books.

Does not literature contribute materially to the revenue of the country, by the duty on paper and advertisements?—Very largely.

Do you think, that the advantage of extending the copyright of English books over Scotland and Ireland, more than compensates the loss occasioned by the delivery of five copies to the former, and two to the latter part of the United Kingdom?—I think, that where copyright requires to be protected the penalty is very small; but there are not many cases where the copyright requires to be protected; a great many protect themselves by their very nature, on account of the expense of publication; I think Scotland has acquired a very great advantage, much more than England, from the extension of the copyright over the two countries mutually; and I expect that hereafter Ireland will derive the greatest advantage; if the copyright law stood now as before the Act of Anne, the popular works that are now printed in Scotland would necessarily be sold to English publishers, and first published in England, because the greater sale being in England, it would be more essential to them to protect the copyright here than there; I conceive the Scotch booksellers must acquire a very great advantage by the law, and I hope hereafter that Ireland will gain as much.

In what manner has the obligation to deliver eleven copies to the public libraries operated upon the republication of scarce and valuable books?—I am not much in the habit of reprinting scarce and valuable books; but I should suppose, that where the calculated number is small, it would frequently operate as a prevention to the reprinting.

Do you think that many valuable works, of which a limited number only could be printed, are abandoned on this account?—I believe they are.

Have any fallen within your own knowledge?—I cannot at the present moment specify any from my own knowledge, because, as I have said in answer to another question, I am not in the habit of reprinting books of that description.

Do all works that are published produce profit?—I should think not more than one in four produces profit.

Do you think that this delivery of the eleven copies to the public libraries, contributes materially to raise the price of publications?—I should think not materially, because it is almost impossible to add a price only in proportion to the penalty of the delivery; it is impossible to calculate how many copies may be sold; and the prices of books are usually taken at an even sum of 7, 8, 9 or 10s.; consequently, if the proportion of eleven copies in the thousand were added, in that case the sum to be demanded, as an increase upon each copy, must be the fractional part of a shilling, which it is not usual to add in the price of a book; therefore, if any addition is made, it would be injurious to the public, because such addition would be much more than sufficient to cover the loss.

Do you apprehend, that at present the Americans are enabled materially to undersell the English booksellers in the publication of works of general literature, for the use of the Continent?—I conceive, that upon all books of which large numbers could be printed, they can materially undersell us; for though the price of printing may be higher in America, they are exempted from the expenses of authorship in the reprinting of our books.

What is the price of paper in America?—I am not acquainted with that matter.

Do you know whether it is comparatively higher or lower?—I should think higher, but I am not prepared to say.

Do you really know the price of American books, or do you know whether they always bear a higher proportion than to English books?—Books printed originally in America are sold somewhat higher there than books printed here.

The paper, you think, is rather higher than here, though the duties are not?—I have no means of knowing that fact, but I should suppose it was, from the state of their manufactures.

Do you frequently receive impressions from the printers without a single overplus copy, or are you not at times obliged to make perfect copies imperfect, in order to perfect others, so as to reduce the number of your edition below the number charged to you by the printer?—Very frequently. The allotted number is 16 sheets to each ream, which has been calculated as somewhat

Mr.  
Robert Baldwin.

what more than sufficient to supply casual damage in the printing and binding of large editions; but almost always in small impressions there will be a deficiency of the nominal number, before the whole edition is sold.

Are the bookbinders frequently in the habit of applying for what they call defective sheets?—Constantly, throughout the whole impression of the work.

Do you know, whether any of the principal booksellers keep a warehouseman almost exclusively to furnish the bookbinders with defective sheets?—That is exactly the case.

Do you think, that the recent edition of the English Chronicles in 4to. would have been produced, if the booksellers had been liable at the time to the gratuitous delivery of eleven copies?—I rather think the delivery would have operated very strongly against the speculation, and probably they would not have been printed.

What is the value of books delivered by your house since the passing of the Act?—The amount of the books delivered by us to the public libraries exceeds 1,000*l.* at the lowest trade price.

In the demand made by the public libraries to the bookseller, has any regard been paid either to the utility of the respective books demanded, or to the books previously delivered by the publisher?—None at all; they have been taken indiscriminately. I should suppose, that if a sum of money was allotted to the Universities to purchase books, they would not purchase one in ten of what are published; perhaps not one in twenty.

Have the public libraries demanded a reprinted edition of books where there have been only some trifling alterations, and of which the first impressions had been delivered since the passing of the Act?—We ourselves have delivered copies of the second edition of a work which sold for 30*s.* within four months after the delivery of the first, though the additions were very trifling. The first edition had a rapid sale; the second had not.

Are you of opinion, that if a proportion of the price of each book was paid by the public libraries, it would abate the grievance?—I think it would. It would induce selection. At present they are taken indiscriminately, as I before observed.

Should you prefer that relief, or that the books, of which you do not wish to protect the copyright, should not be entered?—I should prefer the relief in receiving a small portion of the expence, because the other would alter an established law, and might introduce great inconvenience. A book might fail of being entered, by mistake, and the copyright might become very valuable, and be lost, merely from the mistake, and that would be a grievance of which one could hardly foresee the amount.

What is the general average of copies of an impression that you print?—I think the average is not higher than 750. There is a description of publications which are generally of a more popular nature, and consequently more extensive in their circulation, of which we print more.

But 750 is the average number you print?—I should think that 750 is the average of our publications.

Do you suppose, that the addition of a very small sum to the selling price, a sum, for instance, of one per cent, would operate prejudicially to the sale of the work?—I should think not; but it would be impossible to put one per cent. upon the selling price of any book; and if it could be done, we should put one per cent. upon every single copy; but without being certain of selling the whole impression, it would be impossible to say what per centage would cover the loss of the eleven books delivered to the Universities, and consequently what a single copy should cost to the purchaser.

If the Committee understands your answer rightly, there may be some difficulty in apportioning the exact per centage upon the price of the work; but supposing you took some given small addition to the per centage which might be thought convenient, or supposing you added 6*d.* to the selling price of a work of 5*s.* 6*d.* or 6*s.* 6*d.* do you conceive that that would prejudice the sale materially?—In some instances it would, because there are books of competition, and that is the smallest addition that could be made; but still it would be too great for the public to pay, and it would be attended with disadvantage to us.

Suppose an octavo book of 400 or 500 pages, to which a former witness spoke, which sells at nine or twelve shillings, would an addition to the price of 6*d.* materially

materially injure the sale?—In some instances, it might operate prejudicially, though it would not be so material an addition as to a book of 5s. 6d. but still, I think, it would be prejudicial to the sale, and particularly in a popular work, it may be considered such an addition, as to operate as an objection to the work.

Are you a purchaser of copyright?—Yes.

Do you conceive, that the addition of 14 years certain, to be a valuable addition to the author's copyright in a work?—Certainly.

It is such an addition, as would induce you to give considerably more for the copyright, generally speaking?—In some instances, we should give more; but a very small proportion of books continue saleable throughout 14 years, except in particular instances, such as historical works, which are likely to continue valuable and saleable to the public, we should give no more.

In your line of publication, what proportion would the books, for the copyright of which you would give more upon 28 than 14 years, bear to the works where you would consider that difference of any importance?—That is a very difficult question to answer; I should think, perhaps, one-third; it is impossible to answer the question correctly; perhaps, one-third.

Were not authors and proprietors of books, in the habit of having additions made to new editions, previous to the expiration of the first 14 years, in order to create for themselves a new copyright?—Perhaps frequently; so they thought, probably, that a smaller quantity of addition would make a copyright than really did so.

Is it usual for books to be published at any other price than even shillings or sixpences?—It is not.

Then you could not put on a shilling or two upon the price of a certain amount, with propriety?—It could not be done.

Do you think, that where the publishing price of a book was half a guinea, the addition of 6d. would materially affect the sale?—In many instances, it would affect the sale, but not very generally in that proportion.

Suppose a pamphlet sells at 5s. would the addition of 6d. affect the sale?—Perhaps not. The demand for pamphlets is temporary and limited, and perhaps, those who wanted them, would not regard paying the additional 6d.

Would the difference between 21s. and 22s. upon the price of a book, affect the sale?—Twenty-two shillings is an awkward price; we should be induced to say 21s. even if the just demand was 22s.; probably we should get up to 24s.

You think that 6d. would make no difference in the sale of a 5s. pamphlet?—No.

Do you know, whether additions which might have been incorporated into the body of a work, have been published separately, to accommodate the purchasers of former editions; and do you, in such cases, know whether the publication of such supplements, have answered the purpose?—In almost every instance, they have failed, at least in those cases that have come to my knowledge.

In many cases, purchasers of books would rather buy a new edition of a work of which they already possessed a copy, than purchase the addition or supplement separately?—In some instances, they would; I have known a very considerable outcry for a supplement to be printed, and when the supplement was printed, there has been scarcely any demand for it.

A few references or notes could not be published separately, with any advantage?—They would be almost useless.

There would be no sale for them?—None.

Nobody would take the pains to buy them?—No.

Do you happen to know, whether any supplements have been published separately, to Burn's Justice?—That used to be a frequent thing.

Do you happen to know, whether there was any sale for them?—I cannot say, of my own knowledge, as that is not our publication; but I know, that it was the common opinion of the trade, that they did not sell.

In the number of works that you undertake, as publisher, are there not a great many which have totally failed, or of which a very small number of copies are sold?—It is a very common thing for a book not to pay one half of its expenses.

But in that case, you still consider the copies in the warehouse as of some considerable value, above waste paper?—Where they fail so totally as that, they are worth little more than waste paper at the time; sometimes after keeping them a little while, they may produce a better price.

Mr.  
Robert Baldwin.

Taking a period of ten years publications in your house, would not eleven copies of every such publication deposited in your warehouse, be of very considerable value, taking one with another?—Certainly, some of them would be very much reduced in value, but many of them would be increased much beyond their original publishing price.

But supposing that you had your warehouse filled only with eleven copies of all the publications that you might be engaged in for ten years, taking them in any way they could be calculated, would not the value of them be a very large sum?—I should think the value would be very considerable.

Even as waste paper, the Committee would presume that the value of ten years collection of eleven copies, would be no trifling sum?—It would be, on an average, about a ream of paper to every individual work.

Has your trade been declining or increasing since 1814?—The trade generally, throughout the country, has been increasing since 1814.

Has the general trade of a publisher increased since 1814?—I rather think it has.

With regard to your own knowledge of books, has there been an increased trade in them, in consequence of the improved state of the country?—I think there has been rather a better demand for books than there was in 1814.

Has your house been in the habit of exporting books to America?—For some years back.

Have you latterly exported any?—Yes, latterly a few.

Is the demand at all equal to what it was a few years since?—The demand is not very large for particular books; only a few copies of certain books; those of a popular nature are immediately reprinted there.

Are they orders chiefly for single books, with a view to reprint them there?—They are either for that purpose, or they are old books which cannot be procured in America, or books which are very high priced, and that cannot be reprinted.

Do you think, that the trade with America, having been greatly reduced, has tended to decrease the number of the impressions which otherwise would be printed in Great Britain?—Very considerably; particularly school books, and books of that description, which used to be supplied exclusively from England; the classics also, and books of that sort.

Have a considerable portion of the law books which used to be exported to America from this country, ceased to be sent out?—Yes, as I understand; America used to be supplied exclusively with law books from this country.

Are there many exported at present?—I should think only such as are of confined sale, both here and in America, and such as would not be worth while to reprint in America.

The works that you are principally engaged in the publication of, are works of a general nature, and not of limited sale?—They are school books, and books of a general nature, and not of a very limited sale generally.

Therefore the delivery of the eleven copies to the public libraries, does not operate so heavily upon you as it does upon those who are more engaged on works of a confined sale?—I conceive, that if I expend a large capital in popular works, equal to that spent by another house on a small number of books of great expense, that my loss is equal to that house, because if my books would on the whole have produced the same profit, my loss would be the same.

Although your books are not so high priced as those published by some other booksellers, yet you have a greater number?—We have a greater number.

You think then, that notwithstanding you are engaged in works, which you confess to have a very considerable sale, yet that the burthen of delivering eleven copies to the libraries still has its effect upon you, upon the whole?—We consider it a very severe tax, indeed.

Does the profit upon low priced articles bear a proportion to the profit upon high priced articles?—I should think, that in all matters of trade, the calculated profit would be much the same.

Do you think, that the depositing of the 11 copies in these public libraries has any tendency to take away private purchasers?—Certainly, I think it must.

Does it not, in your opinion, supply gratuitously many people who would otherwise be purchasers?—I should think it would.

Do you conceive the evil is to be at all counteracted by any supposed notoriety

notoriety given to those publications, by the depositing of such copies in the public libraries?—Not by any means.

Do you conceive, that your publications acquire any advantage by any such supposed notoriety?—We do not consider the supposition of notoriety, arising from the depositing of the books, to be well founded, or productive of any advantage; if we did, we should send the books to the public libraries without any compulsion.

Have you ever formed an opinion with regard to the effect of every new publication being accessible to readers at the British Museum?—I should think, the evil of that access would operate principally upon the high priced books, of which evidence has been given before.

With regard to the high priced books, do you not consider, that many persons, who if they had not such access, would be obliged, in their peculiar line of inquiry or literary labour, to purchase such books, decline to purchase them, because they know beforehand that they are there to be found?—No doubt.

Do you conceive, that one copy, if deposited in such a public institution, may take away perhaps as many as ten individual purchasers?—In the course of a number of years, I should think it might.

Take, for instance, a county history, which a certain number of people, from curiosity, might wish to have access to, in some way or other; do you not conceive, that there may be ten such people, who, even in one year, would all be supplied by that access; but if they had not such means of supply, would be necessitated to become purchasers?—I think it is probable, that, in some instances, such an effect might be produced.

Would not all these inconveniences which you speak of arise, supposing the British Museum purchased a copy, instead of getting it gratuitously?—Certainly they would; but we should obtain a purchaser thereby.

Would not all the other persons, who are supposed, in the preceding questions, to be likely to become purchasers, have the same means afforded them of seeing a single copy, and of making use of that single copy, in case the Museum purchased one, as much as if it had been sent gratuitously?—Under the present regulation, it is well known, that a copy must be deposited in the public library; therefore people who know that they can refer to that copy, abstain from buying. But if it was uncertain whether the copy was there or not, and if it was left to the determination of the public library whether to purchase or not, any individual who wishes to refer to that book, must go and ask there, and ascertain if he could find it; he perhaps would never purchase the book if he found it there, but the uncertainty of finding it there might induce him to buy in the first instance.

Would the trouble of going to a public library, to inquire whether an expensive copy of a valuable book was deposited there, and which might cost him probably an hour in inquiring, would induce him, in the first instance, without inquiry, to purchase such book?—I conceive, that a person who is interested in seeing a book, supposing him to reside in London, would hardly be at the trouble and expense of sending down to Oxford, for instance, to ascertain whether a new book was deposited there, if the point was a matter of uncertainty; and if he was not sure of seeing it, for the reason I have suggested, he would then order it of his own bookseller.

Do you know, that preceding the Act of 1814, the British Museum did not, in point of fact, buy a great many publications that were even of credit and fame?—I am not acquainted with that circumstance.

Do you not know, that for a great many years before, they did not buy several works of eminence and character, and that therefore nobody would be sure to get such books there at all?—I am not informed upon that point.

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*Veneris, 1<sup>o</sup> die Maii, 1818.*

CHARLES MARSH, Esq. in the Chair.

*Samuel Lysons, Esquire, called in; and Examined.*

YOU are the Author of several expensive works that have been published in this country; will you have the goodness to state to the Committee, what was the

*Samuel Lysons,  
Esq.*

Samuel Lysons,  
Esq.

the last of those works, and any observations which you have to make thereon?—The only work which I have published entirely myself, and to which I can speak particularly, as the details, is a work entitled “*Reliquiæ Britannico Romanæ*,” but what I have to say upon this subject I have reduced to writing, and with the permission of the Committee I will read it. “For twenty-five years I have been preparing for publication an extensive work on the Roman antiquities of England, entitled “*Reliquiæ Britannico Romanæ*,” consisting of more than 160 plates in folio, many of them 40 inches by 23, on which work I have already expended 6,000*l.* From the nature of this work, which requires that the greater part of the plates should be coloured to render them intelligible, it is not probable that more than a hundred copies will ever be completed, and if the whole of that number should be sold at 50 guineas a copy, I should not be reimbursed my expenses. In the two first volumes of this work, already published, I have given a short letter-press description of the plates; but finding that under the last Act of Parliament for the encouragement of learning, my continuing to give such printed explanations, would subject me to the heavy tax of eleven copies of my work for the public libraries, and deprive me of several of my purchasers, some of those libraries having bought my two first volumes, I have determined to omit any letter-press, and have engraved my title pages and list of plates. I am convinced that few books of antiquities or natural history, consisting chiefly of plates, which are attended with a very heavy expense, and especially those which require to be coloured, can be published in this country, with letter-press, if the editors are thereby liable to be taxed with the delivery of the eleven copies for the public libraries, and that the publishers will be under the necessity either of omitting any printed description, or having them printed on the Continent, where much would be saved in the article of paper alone, the price of the larger sorts of which in this country, is extremely high, in consequence of the heavy duty on them. I give 12 guineas per ream for the smallest paper, which I use for this work, and 17 guineas for the larger, which I am obliged to employ on account of the size of some of the plates.”

*(The witness here exhibited some plates for the inspection of the Committee.)*

I produce these prints for the purpose of showing that they could not be explained without colours. I now exhibit one of the title pages, which the Committee will observe is engraved, for it is necessary in order to evade the present Act, that every thing should be engraved. These plates represent Mosaic pavements discovered in this country, and are extremely laborious; I have given 7*s.* or 8*s.* for printing a single print, and colouring it. If I could sell 25 copies of this work in England, I should be satisfied.

Would it not take extremely from the interest and the information which these plates convey, if you were obliged to publish them without letter-press?—Certainly. It would not become me to speak of the merit of any observations I should make upon them; but if they were made, they would be very short, and certainly, I think that some descriptive observations upon each plate would be desirable. In consequence of the Act of Parliament in question, I found myself obliged to place the following advertisement on the outside of the second and third volumes, in order to explain why the letter-press was not continued in those two volumes, “The editor of the *Reliquiæ Britannico Romanæ* intended giving short letter-press descriptions of the several plates in the second and third volumes, as was done in the first volume of that work, but finding that by the Act of Parliament “For the encouragement of Learning,” would be liable to the very heavy tax of eleven copies for the public libraries (being more than a tenth part of all which are likely ever to be completed) he is under the necessity of omitting such descriptions. He flatters himself, however, that the subject of most of the prints will be well understood, without any other descriptions than what are expressed on them; and he begs to refer those who may wish for any further illustration of the antiquities figured in this work, to the accounts of the several discoveries which he has communicated to the Society of Antiquaries, by whom they have been printed in the *Archæologia*.”

What number of copies of this work do you intend to print?—As it is entirely composed of copper-plates, of course only a certain limited number can be printed. I have not yet taken off, I should suppose, more than 25 copies, but there are 50 of one volume. But in the whole, I should suppose that there would be very few more than 100 printed.

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What number of copies have been sold in this country?—The work is not yet finished; I have not sold of the volume, already published, 25 copies, both here, and on the Continent; that volume has been published about three or four years.

*Samuel Lysons,  
Esq.*

If the public libraries were not entitled to eleven copies, by the statute of the 54 Geo. III, do you expect that any of them would have become subscribers to your work?—Certainly, because five or six (five, I am sure) purchased the first and second volumes.

Have you been called upon to deliver the succeeding parts of the work?—I have not; I have not published any thing since the last Act of Parliament.

When did you contribute the eleven copies to the public libraries?—I have not given any to the public libraries.

But when was it that the five public libraries, you have mentioned, were purchasers?—Before 1812.

Has the delay hitherto, of publishing any of these plates, since the passing of the Act of 1814, been occasioned by that Act?—Certainly; for I have been preparing to adapt my work according to the provisions of that Act; and to avoid the obligation of delivering the eleven copies, I have been obliged to have the subsequent plates published without any letter-press, and simply to give an engraved list of the plates, so as to prevent the claim on the part of the libraries.

You had intended to give descriptions of the plates in letter-press?—Yes.

But you have been obliged to alter that intention, in consequence of the late Act?—Certainly.

The volume that was published prior to the Act, was accompanied by letter-press to each plate?—Yes.

What proportion of letter-press was there to each plate?—To one there were two leaves, and to another, the Antiquities of Woodchester, there were many; I think there were 20 or more pages.

The discovery of these Roman antiquities has cost you many years labour and attention?—A period of 25 years.

The Committee would presume, that you feel it to be impossible that any thing like the same interest would attach to these plates, without the explanation of letter-press to each plate?—Certainly not; I intend hereafter to print some letter-press, probably on the Continent, and import it.

Which letter-press you would otherwise have printed in this country?—Yes, with the work.

Has not the operation of this Act considerably damped your ardour in the pursuit of this work, and the discoveries necessary to complete it?—I cannot exactly say that, because, as far as the plates and the representations go, I have done as much as I should otherwise have done; but probably it would have been more satisfactory, if the work had been accompanied with some short letter-press descriptions.

But if you delayed the publication, of course you could not feel the same hope of immediate fame and promotion of knowledge, as if the publication had not been delayed?—No.

If the Committee understand you rightly, there will be a want of uniformity between the latter part of the work, and that which you printed before the Act?—There certainly will, for the present.

Will that at all operate upon the value of the work?—I could hardly venture to say myself, how far the work should be more valuable, for the short letter-press descriptions that I might give.

It would be more satisfactory to yourself, if the remaining part of the work was accompanied by letter-press?—Certainly, it would have been more satisfactory to myself to have printed some short letter-press.

Do you conceive a letter-press illustration necessary to a work of this sort?—I do not say that it would be absolutely necessary, but it would be desirable.

Is not the larger portion of these Roman Tables absolutely your own discovery?—The greater part of them was; I believe that the work will contain a larger number than has been brought together in all the countries of Europe put together; in the whole, there will be nearly 200 plates.

There was no suspicion, prior to your repeated discoveries, that there existed in England such remnants of antiquity?—Single pavements had been found; the buildings to which they belonged had not been traced.

Samuel Lysons,  
Esq.

You are publishing a great work, called "The Magna Britannia?"—Yes.

Do you not consider the demand of eleven copies, to supply the public libraries, of a work of that extent, a great inconvenience?—I do, inasmuch as it will be many years before the expense of that work will be paid; and nothing like remuneration can arise.

How many volumes of the Magna Britannia are yet published?—Seven counties.

And if finished, how many volumes, 4to. with plates, do you think that work would probably extend to?—We now confine one county within a volume; of course it will be easy to calculate, upon that principle, how many volumes must be printed of the work to make it complete.

Each of these volumes is accompanied by many engravings?—Many; I think the last volume had 35 plates.

Do you conceive, that all or any of the public libraries which are entitled by the Act of 1814 to the gratuitous supply, would have been purchasers of the Magna Britannia, were it not for that?—Certainly; for they were purchasers before the Act.

Their copies would be incomplete without this gratuitous supply?—Certainly.

It is a great national work?—Yes.

You are Keeper of the Records of the Tower of London, and greatly acquainted with works of English history in every department; do you consider that the eleven copies, demandable by the public libraries, are a great discouragement to such persons as would otherwise adventure the publication of ancient English documents?—I can hardly venture an opinion upon that; generally speaking, it is a very great discouragement to literature; to books of a certain expense, or to books of which many very large impressions are printed, and that are likely to have an extensive sale, it might be of very little importance; but certainly in large 4to. volumes, attended with heavy expenses, and which take many years before their expenses are repaid, the giving up eleven copies in the first instance is certainly a heavy taxation.

Do you not think, that the publication of these larger collections is of great national importance?—Unquestionably.

Are not the authors or compilers of such publications very inadequately paid?—I believe they are.

And therefore does not the demand of eleven copies press upon them with peculiar hardship?—I should suppose it does, certainly.

Do you not think, that the knowledge that eleven copies are deposited in those eleven public libraries, which are dispersed over convenient and central parts of the three kingdoms, has a tendency to prevent the purchase of works of this description on the part of private purchasers, they knowing that to works of such an expensive description, and which are usually works of reference, they can have access without expense?—Certainly, that must have the effect.

For instance, with respect to the British Museum, do you not consider that works of that expensive class, being known from the necessary operations of the Act (many of which are placed there since the Act of 1814) to be deposited in the British Museum, would deter many private purchasers from purchasing such expensive works, because they would have easy access to them there?—It would some no doubt; the purchasers of these very expensive works are very few in this country; and it is to the public libraries that the publishers of such works would look for some of their most certain purchasers.

Do you not conceive, that the deposit of any work in any public library, which is generally accessible, has a tendency to make one copy perform the functions of three or four?—No doubt.

Do you consider, that in a work of merit, the sending the copy to the public library of the University of Cambridge, for instance, might not have the effect (by making the work known) of inducing many of the other Colleges to purchase copies, who otherwise would not?—I can hardly form an opinion as to that; the opportunity which they would have of seeing a book of that description at the bookseller's shop, would probably have the same effect if the mere access to it would produce the sale of other copies.

Then, upon the same principle, the opportunity of seeing the book at the bookseller's shop would have the effect of preventing the sale?—The bookseller probably would not permit such a free access to the book as would prevent the sale.

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The Committee only wish to understand what you mean; if the book being presented to the public library can make no difference as to the circumstance of giving it notoriety, neither can it make any difference in preventing the sale?—It must operate to a certain degree by persons having access to it in a public library; those persons give it notoriety.

There is an additional access to it, or there is not; the Committee are merely putting it in that way?—No doubt there is an additional access to it in the public library.

Do you not think, from your practical acquaintance with authors, that it must frequently happen, that an author writing on historical subjects, or subjects connected with antiquity, would derive the greatest benefit from having access to these expensive works to which you have referred in some of your answers to the former questions, but works which he could not, from his own private means, by possibility become possessed of?—There is no doubt of that certainly? it might be right that such books should be deposited in public libraries; there is no doubt of that.

And therefore the Committee would presume, that the fact of these expensive works being deposited in certain public libraries, accessible to men of literature, must in its operation be favourable to the encouragement and to the production of literary works?—It is very desirable that expensive works should be deposited in public libraries for the access of literary men, but the manner in which these libraries should acquire them is quite another consideration.

These authors being persons who could not buy these books, and being persons who wished to refer to them, the sale of the books is not at all prevented by these persons having access to the works, in consequence of their being so deposited?—It is not for me to form an opinion, whether the sale would be prevented or furthered, by the depositing of the works in that manner; it must depend upon circumstances.

With regard to books or works that are of small circulation, and calculated only for small circulation, like for instance, your Roman Pavements, in which pursuit there are very few learned people engaged; is it not your opinion, that amongst persons engaged in such limited pursuits (limited with regard to those that are engaged in them) it is known, and they are sufficiently acquainted with the existence of such works, without the necessity of putting them in a public library, to make them known to them, or without the necessity of even an advertisement?—I confess, I do not very well understand the question.

Do you conceive, that if a work is addressed and must necessarily be confined to a very few purchasers, any such notoriety as that of putting it in a public library, is necessary for the sale of a work to such purchasers?—I do not conceive that by any means necessary.

Has your work been advertised?—It has been advertised, but it is some years since the second volume was published.

But usually, such works are advertised?—Yes.

The Committee need hardly ask you, whether the researches preparatory to such publication of this sort, are not very expensive?—Certainly, very expensive. When I mentioned the expense of 6,000*l.* which it cost me, I did not put down my travelling expenses, nor the expense of employing labourers for a year together in the same place, which alone would amount to a large sum.

Then the preparatory expenses, both of time and of money, for such a work are very great?—Very great.

Have you not had frequently to resort to the Bodleian Library, in the British Museum, for the materials and information necessary to your intended publication?—No doubt; to the Museum, particularly, I have had very frequent access.

When you have resorted to the Bodleian Library, you never found any difficulty or inconvenience in the use of their collection?—Never; on the contrary, I always experienced the greatest civility; they were always very obliging, certainly.

Your opinion is, that these public depositories, contribute in a very large proportion, to the materials and necessary information for the composition of such works?—Undoubtedly.

And that, generally speaking, authors who write upon such subjects, could not possibly, out of their own means, procure all the various books of reference which may be necessary for them in the prosecution of their studies?—Certainly, many of them have not libraries of sufficient magnitude, of their own.

*Samuel Lysons,  
Esq.*

Does an author, in an engagement with a bookseller, take into the account the purchase of the copyright, and the length of time that the copyright is to last?—I have had so little communication of that kind, with booksellers, that I can hardly say. I presume, there can be no doubt, that the longer a copyright lasts, the more valuable it will be to the purchaser, if it is valuable to the purchaser at all; but that, probably, applies to works that are expected to have a continued sale, and that will probably pass through many editions. The most expensive works, works of topography, such as I have had any thing to do with, could not sustain any injury if there was no copyright at all, for no one could pirate them with effect; they might abridge them, but even then it would be so expensive, as not to be worth any person's while.

You do not want any protection of copyright for this work which you are now upon?—None in the world, except that of the plate work, which is protected by the different statutes.

Do you conceive, that where the copyright is of considerable value, the author who disposes of it to the publisher, does not get more by the addition of the 14 years, which you know have been added to the term by the recent Act of Parliament, than he would lose in that engagement, by the delivery of the 11 copies to the public libraries?—I dare say there are many works in which that will be the case; but that amount must depend entirely upon the nature of the work, and the probability that it would pass through a great number of editions.

You say, that works of this expensive description, are as well protected from the invasion of the copyright, by their own expense, as by the penalties of the Act of Parliament?—Certainly; the plates are protected, and as to the letter-press, it would not be worth pirating.

The Committee wish to know, whether the far greater value of public libraries to authors, does not consist in the manuscripts which they contain?—Certainly.

And whether the next part of the value of such libraries to authors, does not consist in rare old books, which are not easy to be had in other places?—Certainly.

And whether it be at all common, in the public libraries of this country, for men of letters, and for many writers of important works, to be engaged in reading books in such public libraries, as materials for their compositions?—I should conceive, that is very seldom the case, except an author has occasion to make reference to books of rarity.

You know that such practice is very frequent in the libraries on the Continent of Europe, or at least much more frequent than in the public libraries of this country?—I have heard so.

And of course, they have a greater facility of access there, to all common books, than here?—Yes.

With respect to the question of the value of prolonged copyright, the Committee would ask you, whether the value of a prolonged copyright, does not entirely depend upon the lasting reputation which a work obtains?—Certainly.

The Committee need not ask you, whether works that have obtained lasting reputation, do not form a very small proportion of the works that are published?—I believe so.

Supposing that you were writing a history of the early part of the last century, would you not consider it as of the greatest possible advantage to you, to have access to collections of all the political or historical works of the day, as they had been collected or deposited in public libraries?—Certainly, those collections are of great use in such cases; those collections are valuable for that purpose.

Those collections might have been of no particular value at the moment of publication, but would derive great consequence from the lapse of time?—Certainly.

As for instance, the collection of newspapers proposed to be purchased by the Museum, from Dr. Burney's library?—Yes; that was the most complete collection of newspapers ever formed.

Do you conceive that public libraries would be better enabled to purchase manuscripts, or those materials useful to others, in consequence of being supplied with the eleven copies?—If they could dispose of great part of what they receive, which I take depends upon themselves, perhaps they might; but the great part of those, which the authors are obliged to deliver to them, they would hardly buy.

If they are relieved from the necessity of purchasing any books, they would be

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Esq.

be better able to supply themselves with manuscripts?—I do not know what their funds are, but if they would otherwise have bought these books, no doubt those funds would be relieved by the delivery of the eleven copies.

If resort to manuscripts becomes necessary, is it not a fact, that the authors must resort to these public libraries as the only depositories of them?—Certainly.

And is not that very much the case likewise with respect to ancient books and ancient literature?—Yes.

There are many manuscripts in the library of the British Museum, and in the libraries of the two English Universities?—Certainly.

Do you consider the eleven copies demandable under the late Act, a great discouragement to the republication of historical works of considerable expense, and necessarily purchasable by few persons?—Yes, I think it is; it is generally so considered; but I have so little experience of that kind of publication myself, that I do not feel myself competent to give a decided opinion upon the subject.

Supposing that a work were undertaken in this country, which has long been very much wished by those who are interested in the reputation and history of their country, such as *Scriptores rerum Anglicanum*, in 25 volumes, folio, and it were undertaken by private publishers, would the delivery of eleven copies very materially affect the success of the undertaking on the part of the private purchaser?—So expensive an undertaking is not likely to repay the undertaker of it to any considerable extent, and I should think it would be a good deal affected by the delivery of the eleven copies.

Do you apprehend, that any work so expensive as that, would be, by the addition which must be made to the price of each copy, in order to cover the expense of delivering these eleven copies, affected by that addition in the sale, considering it probable that a work of such extent would only be purchased by libraries or individuals, who would wish, at any price, to possess a book of such a description?—The losing so many public libraries as purchasers, must materially prejudice the proprietors of the speculation.

Then the loss, you apprehend, would arise more from losing eleven purchasers than from any material check in the sale of the work, by an addition to the price?—When a book exceeds a certain price, I suppose that the number of purchasers would probably be pretty nearly the same, because, under any circumstances, the sale of such a work would be very limited, such books being calculated principally for libraries of large extent, and comprehensive collections of literary works.

Are not eleven copies a very great proportion of the number of such a work, likely to be printed?—I can hardly form an opinion upon that subject.

And if such a regulation, as that now under consideration, were not in force, would not all these libraries necessarily become purchasers?—I should think they would; the greater part of them would.

You seem to think, that the principal loss would arise in an expensive work of that sort, from the subduction of the eleven purchasers; in so thinking, did you advert to the Committee having pre-supposed, in the question to which that was an answer, that the expense of these eleven copies was to be added to the price of the rest of the edition; for if so, the Committee apprehends there would certainly be no loss sustained; supposing, also, that that increase of price did not prevent the sale of the work, the work being of so great an expense, the trifling addition would not make any material difference?—It is difficult to say how it would operate; it is always advantageous to keep down the price of a book as much as possible, because the addition, however small, to the price of it, must be prejudicial.

Mr. Robert Harding Evans, called in; and Examined.

YOU are a bookseller, residing in Pall Mall?—Yes.

You have been concerned in the publication of a great many very expensive works?—I have.

In very expensive works, particularly of scientific illustration, can you speak to the operation of the Act of 1814?—I conceive it to be a very heavy and very grievous imposition upon the bookseller, and such as is not levied by any other country in Europe.

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Have you found, from your own experience, that that Act has operated to the discouragement of any literary production of the description to which you refer?—Certainly.

The Committee are referring to your own experience?—I am certainly speaking of my own experience; but I beg leave to say, that I do not consider that the booksellers of London should not give any copies at all to public libraries, but I object to the extent of the enactment; for instance, I think that three copies for England, Scotland and Ireland, that is, one to each, respectively, would be a very just demand, in consideration of the copyright which has been extended to them.

But can you specify any instance in which this Act has effected this discouragement of which you are speaking; has it, in your opinion, operated to prevent the publication of any literary work which would be useful to the public?—Certainly; it has prevented the printing and publishing of several editions of the classics, which were about to be printed at the time the Act passed, but which were laid aside by the booksellers in consequence.

Specify a few of those books to which you allude, that happened to be within your recollection?—For instance, Damm's "Lexicon to Homer and Pindar," and a reprint of "Brotier Tacitus." These were laid aside.

Is there any English edition of the author last mentioned?—There has been one undertaken by Mr. Valpy, the printer.

The Committee confine their question to whether any edition was undertaken by any publisher?—I believe not; Mr. Valpy has undertaken it.

The Committee believe, that the edition of "Brotier Tacitus," which you had in contemplation, was upon a different scale from Mr. Valpy's?—No, it was pretty nearly similar in every respect; it was upon the same plan.

The Committee believe, that you are concerned in publishing an edition of an Ernesti's "Cicero"?—That was printed at Oxford, at the Clarendon press, but at our expense.

Do you happen to recollect any other instance, in which a classical work had been projected, but laid aside in consequence of this Act?—I cannot immediately call to memory the names of particular books, as the order to attend the Committee was not served upon me until yesterday evening, and I have not had an opportunity of referring to my lists. I know this, that the two Universities have not entered any copy of the classics since the passing of this Act, which shows, I think, that they have felt it to be a grievance.

Has any edition of the Corpus Poetarum been meditated by yourself or any other bookseller?—I really do not know; certainly not by me. I would beg leave here to observe, that the booksellers are obliged to give, in addition to the eleven copies to the public libraries, one to the printer, by an Act brought in by Lord Eldon, when he was attorney general. By that Act, we are obliged to give a copy to the printer, which surely might be dispensed with, inasmuch as the copy deposited at the Museum might be sufficient evidence against the publication, if its propriety became a question, and that copy might easily be adduced for that purpose. The delivery of a copy at such a place might be considered as an official deposit, and thereby guard the bookseller against this additional loss of his profits. We are obliged to give, in fact, twelve copies now.

The printer is obliged to retain a copy in his possession, by Act of Parliament?—Yes; but it would equally answer all the purposes of legal evidence, if the copy was deposited in the Museum; for I take that to have been the object of the Legislature, in requiring a copy to be left with the printer.

In making a contract with the author of a book, would the eleven copies that are to be delivered to the public libraries be taken into the account, and charged against the author; suppose you were to reprint an old book, such as "Corpus rerum Anglicanum," should you take the eleven copies into account, and charge them against the author?—Certainly, I should take it into the account; and I should conceive, that literature would be injured by the operation of this obligation, because the author must participate in that loss.

You say then, that the expense of these eleven copies, whatever it might be, would be deducted by you from the price you would otherwise pay to the author?—I certainly should be most willing to give him more, if I had not the eleven copies to deliver; but if I was obliged to deliver the eleven copies, I certainly should take the expense of them into the account against him.

Supposing,

Supposing, however, that the number of copies to be delivered to the libraries should be more limited, I should not take that number into my calculation with the author; for instance, if the booksellers were confined to give a copy only to each of the three branches of the United Kingdom, England, Ireland and Scotland, three copies would not be such an object as to induce me to give the author less. The work would not be worth undertaking, if three copies formed so material an object as to enter into the contract between the bookseller and the author.

Do not you think, that as far as the author is concerned, the increased value of the commodity, from the prolongation of the copyright from 14 to 28 years certain, is much more than an equivalent to the diminution of your profit upon the publication, by the delivery of eleven copies, as the law at present stands?—We may divide the question into two branches; first, as to whether a book is likely to be productive; and, secondly, whether it is not likely to be productive; or perhaps the question ought to be put, whether it was or was not likely to be reprinted. We will take, for instance, Mr. Whitaker's "History of Yorkshire," publishing in eight folio volumes. No bookseller would give him a shilling more, on account of the prolongation of the copyright, because, in all human probability, it would never be reprinted, and therefore the loss might be considered as so much as whatever the amount of the eleven copies might be. But if I was speaking of a more popular publication, I should certainly say, that the prolongation of copyright would be a very material boon.

You think, in that case, that the prolongation of the copyright would be much more than an equivalent to the value of the eleven copies which you would be obliged to deliver to the libraries?—Certainly, if there was the probability of a reprint.

Do you think, that the same principle would hold, if the work was likely to have a very considerable sale?—In a work of considerable sale, I should certainly think, that the extension of copyright was a valuable acquisition; and it appears to me, that very material relief should be given to the booksellers, considering the risks they run, and the prospect of a limited sale. There are, however, books printed, where no copyright would be necessary, or where, if there was a copyright, the book would be more valuable on that account. The Committee cannot fail to observe, that, in fact, we give copies to public libraries in cases where the Legislature gives no copyright at all. The Committee speak of the extension of copyright for 28 years certain; but it will be recollected, that where we printed a copy of "Cicero," at the Clarendon press, there was no copyright given to us in that case. We are obliged to give copies of reprints, though the books are in the public libraries already. Neither the editor nor the bookseller, nor the persons who take the copies, derive benefit from the delivery of these works, unless the Committee suppose them to sell them again, which I suppose is a supposition not in the contemplation of the question put to me.

In the reprint of old works, such as you have mentioned, is not a copyright created by the most trifling addition, in the shape of notes?—Certainly not; it is only a copyright in those notes.

Is it not a copyright in that work so annotated upon; and can anybody reprint that book, with these notes?—No; but still we are obliged to give the eleven copies to the public libraries, where an old book is reprinted, even though there be no addition, in the shape of notes or observations; suppose, for instance, I were to reprint the Universal History, although I believe that every one of the persons now entitled to claim it have a copy in their possession; yet, though I might print it, without an iota of addition, I must give eleven copies to the public libraries, notwithstanding they were, in fact, only duplicates of those already in their possession. With the exception of one of the Scotch Universities, the public libraries have universally exacted even novels; that University, to which I allude, certainly does not take novels.

Does not the University of Dublin except novels?—I am not aware of that; but the demand is now reduced to such an universal claim, that nothing is excepted; as to novels, perhaps there may be only nine copies delivered; but, in all other instances, the claim is made.

You are concerned in the reprint of Hollingshed's, and some other of the old chronicles?—Not in Hollingshed's Chronicles; I only took Mr. Johnson's share

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share at his death; but I was concerned in various other old chronicles; Fabian's, and others.

In those reprints, had the law stood as it now does, would you have conceived the demand of eleven copies as a great grievance?—Certainly; I myself printed a copy of Hackluyt's Voyages, and we only printed 250 copies, and I certainly conceived that the public libraries were likely to be purchasers of that; and had I been asked before I went to press with the work, whether I should have printed it if I had the eleven copies to deliver, most probably I should not have printed it nor published it.

What is the price of that book?—Fifteen guineas; and the eleven copies were demanded just prior to the Act.

What was the price of the 250 copies?—3,750*l.*

What was the price of the eleven copies?—The price of the eleven copies, was 165 guineas.

That is little less than 5 per cent. upon the whole edition?—Yes, it is a tax of very little less than 5 per cent.

You have taken the retail price in your estimate?—Yes; that is, I understood, what was asked.

Then the actual cost being, as we understand, half the retail price, the tax would be really not much more than 2 per cent.?—I beg to say, upon that point, that in fixing the price of the work, I limited it to the lowest possible price; for in point of fact and in justice, an addition of 1*l.* 10*s.* per copy ought to have been made, but that was not charged, for I made no allowance for the compilation for a quarto volume and a half, which was compiled and transcribed by myself, and given gratis to the partners in the edition, because the work would not endure a larger price.

If you had added 15*s.* to each copy of Hackluyt's Voyages, of which there was 250 copies printed, do you not think they never would have sold?—I certainly might have increased the price.

If you had increased the price by the addition of 15*s.* to each copy, do you think that, with that additional price, the whole would have been sold?—I cannot say whether they would have sold or not.

Do you not believe, that they never would have been sold, if you had added 15*s.* to the price of each copy?—I should not have undertaken it with that addition, and for this reason, that it has already taken seven years to dispose of 250 copies at the price I have mentioned; and if I had sold them at the full price, to which I should have considered myself fully entitled, I think it would have operated as an additional difficulty in disposing of them, and would have considerably protracted the complete sale, and I know that the price was frequently objected to, such as it was; but I can say most conscientiously, that the booksellers who sold it, got less by it than any tradesman could afford to carry business on.

If you cannot form any precise opinion upon the subject, the Committee will not press the question upon you?—I certainly think, that the addition of 15*s.* upon each copy, would have been a decisive disadvantage to the sale of the book; probably some of the copies might have been sold at that price, but the increase would have been a decisive disadvantage to the sale; that is my opinion.

It might perhaps increase the period in which you could dispose of the whole?—I do think so.

You might be some considerable while longer in disposing of them?—I think a considerable time; I was desirous to take a price that I thought fair; I have stated, that the proprietors could not afford to sell it at a lower price, and therefore I did not estimate my own labours, because I did not wish to load the book with too heavy a price. If the Committee were to take the general subject of reprinting, as connected with classical books, into consideration, I think they will agree with me, that it labours under great disadvantage. I hold in my hand a list of books, printed by the University of Oxford, and I prefer giving an instance from this, in illustration of what I am about to say, than one of the books published by myself, lest I should be considered as biassed by any general opinion, founded upon a basis which might be supposed not quite so authentic. There is added to this paper, the date of each work, when it was published, and at what price it can be had of the agents of the University. It is worth the while of any person who feels an interest in this subject, just to cast his eye over this paper, and he will see the immense period required in this country for the sale

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sale of the best classical editions, and of the highest celebrity. I speak not particularly of the merits of the Oxford editions of the classics, not in the manner in which they are edited, but I would confine my observations generally to works of acknowledged merit, and such as are considered the most valuable amongst all the ancient classics. I would refer to works, which in the judgment of competent persons, and of the best educated people in this country, may be said to be works of undisputed merit. From this list, I would take this example in illustration of what I say, and the book I will fix upon is Wytttenbach's Plutarch; and I would ask any Member of the Committee, whether I am guilty of any misrepresentation, when I say that this is the best edition of the moral works of that celebrated biographer; the first volume of Wytttenbach's Plutarch was published in 1795, at Oxford; and I can supply, from my own memory, the date of the last; it was published in six volumes, and the last volume was published in 1810. Now, if I were to take the date of the publication of the first volume, and calculate the time until the last was published, a period of fifteen years would have elapsed. But for the purpose of my observation upon this subject, I would take my average as 1799, and therefore I may say, that during so long a period as nineteen years, the University of Oxford has not been able to sell an edition of one of the most popular classic writers.

If you take the date of the publication to be 1795, which you state it to be, the period would be longer, it would amount to 23 years?—I take from 1799, which I believe is the average date of the publication, until 1818, the present period, from which I calculate, that during a period of 19 years, the University of Oxford has not been able to sell an edition of Plutarch's *Morals*. Now, this is a book that I have chosen, as one of the most popular classics, by way of stating the question in the fairest mode.

When a work is so long selling, do you find the inconvenience of the delivery of the eleven copies given to the public libraries, until you come to the end of the sale of the whole edition. Is it not the same thing to you, whether you have the eleven copies lying in your warehouse, or whether the eleven copies are deposited in the public libraries. Is the inconvenience you complain of experienced until the whole edition is exhausted, except the eleven copies which you are required to deliver to the Universities?—Yes; because the University of Oxford, for instance, makes an allowance to their agent of 25 per cent.; therefore I have a right to infer, that in all human probability, they would have received the price of eleven copies, which is a very large deduction from the edition; they would have received 132 *l.* being the price of the eleven copies in quarto, supposing the edition to have been all published in that size.

But the Committee suppose, that you are taking an instance of a publisher selling some work which would take 20 years in disposing of the entire edition; then taking that to be the proposition, the Committee would put this question; suppose, in the last year of these 20 years, there are a number of copies remaining on hand, exceeding the number of eleven, what difference does it make to you, supposing you are the seller of the work, in point of expense or inconvenience, whether you have the eleven copies lying in your warehouse, or whether they are in the library of the public body; do you feel the inconvenience until the whole edition is exhausted, short of the eleven copies?—Do I understand the Committee to ask me, whether I conceive, that any inconvenience arises to the bookseller, from not permitting the copies to remain in his warehouse, until the whole edition is nearly exhausted; if that is the question, I should say, certainly; because those who are entitled to receive the eleven copies, would have had them in the interim; but suppose the University of Oxford prints 1,000 copies of a book, at a certain average price, it makes no difference to them, whether you take the first 11 copies or the last 11 copies.

The Committee are afraid that you do not distinctly understand the question; it is understood, that the booksellers complain of an actual loss upon the copies they give to the public libraries; now the question which the Committee wish to have answered is, whether you feel that loss until you come within eleven of exhausting the entire copy?—It is my firm belief we do.

One inconvenience which the publishers complain of, is that certain purchasers are taken out of the market by the operation of the existing law; the question which the Committee are putting, does not apply itself to that alleged inconvenience; but there is another inconvenience, which they state themselves to feel, viz. being obliged to deliver the eleven copies to the public libraries

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forthwith, upon the publication of the book. Now, the Committee wish to know, whether the latter inconvenience is felt, so long as you have eleven copies remaining undisposed of?—Unquestionably.

Be so good as to explain your reason for that answer?—Because the probability is, that the greater part of those depositories would have been purchasers of the book, if the eleven copies were not delivered in the first instance.

But then, supposing that these depositories had not funds of their own, by which they could have bought these works, then no inconvenience or loss is sustained by the bookseller, until you come within eleven copies of exhausting the whole edition?—Yes, because either the students residing at those depositories, or the readers of books frequenting the public libraries, would probably feel the want of such books, and must come to the bookseller, and purchase copies which perhaps would not otherwise have been sold, and therefore the bookseller would have the advantage of customers, who, if the eleven copies were delivered in the first instance, would have the benefit of access to them in the public libraries. They certainly could not be purchasers of the remaining eleven, after the rest of the edition was exhausted; but the postponement of the delivery of those eleven copies would have the effect of attracting customers, who would not otherwise be disposed to buy.

Would not the last eleven copies so left, after all the rest of the edition had been sold, have acquired an increased value?—The University of Oxford seems to think so; for their edition of Cicero, printed in 1788, in 10 volumes 4to. which they published at 5*l.* with very curious various readings of different manuscripts, was very considerably advanced in the price, in consideration of the paucity of copies remaining on hand.

That was never a book of any price?—I will state their price from their own priced list. It was published at 5*l.*; and the University of Oxford has charged the increased price of 1*l.* 6*s.* upon 5*l.* for those copies remaining on hand, which is an addition of 25 per cent; and that addition I take to have arisen from the increased interest of the work, from the approaching exhaustion of the copy; and I do not conceive that that addition in the price will prevent the remaining part of the edition being sold; at least I presume not, or the University would not have done so.

The addition then of 25 per cent, upon a work of value, will not prevent the sale of it?—I certainly think not, where it could not be reprinted for less; and this advance in the price of the book I am speaking, must have proceeded upon a supposition that it could not be reprinted under that price, and therefore the University has put that price upon it which it would cost to print it at the present time.

Does it follow, that because a book when it is first published, and when there are a number of copies in the market, will not bear a small addition of price without hurting the sale, that it will not bear a very large addition of price when the book becomes so scarce as that it is difficult to obtain it?—It often happens, that accidental circumstances have influence upon the price of a book; for instance, Mr. Porson's Letters to Travis, were published about the year 1790, and a great number of copies remained in the booksellers warehouses without sale; but when Mr. Porson died, and it was known that the book would not be reprinted with additions by him, the price rose about one third above what the same work was sold when it first came out, and all the copies were sold off immediately at the extended price. So the University of Oxford, when it took one of the most popular books, was unable to sell their edition in the time I have mentioned, and I have put the point upon the fairest footing possible. Now, with respect to another book published by the University of Oxford, for the use of such persons as receive a liberal education, it appears that they have been unable to dispose of their whole copies in the course of a period of eight years, although it is a work of great popularity. In the year 1810 the University reprinted Aristotle's Politics and Economics, a work which it would be esteemed a defect in any person of a liberal education not to have read. I observe the date of that is 1810, and there are copies now remaining on hand.

What is the selling price of that?—One guinea, and I have taken this out of their own list.

What is the sale price of the ordinary editions of these two works you have mentioned?—The University furnished the public with one edition of each.

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I do not think before this you could have bought the Politics under a guinea and a half, and Economics probably would be about 17s. at that time.

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In works where the sale is protracted, but where there is a probability of the entire edition ultimately selling, the sale cannot be injured by an addition of price on the work?—That may be the case with a great capitalist, like the University of Oxford, but it is not so with a bookseller. I myself printed an edition of Cicero at the Oxford press, in 1810, and though I believe I am the only considerable holder of any copies of that book at the present moment, I have made no advance upon the public. Where the remaining copies of a work of protracted sale are not enhanced in price, I have only a right to consider it of the original value.

In that case, where there is a protracted sale, the original value is not always enhanced?—Certainly not; I never enhanced the price in any case, under such circumstances.

In that case the inconvenience of delivering eleven copies is not felt, though you do not come within eleven copies of the exhaustion of your edition?—No, where there is no sale for the work.

But you say that the Oxford edition of Cicero became enhanced in value?—The University being a large capitalist, as I have already mentioned, stands upon a different footing from the bookseller. I do not believe that the bookseller has a right to consider his grievance beyond the original price, in estimating his loss upon the eleven copies.

You mean, so long as he does not feel the loss of his eleven copies?—I mean that he has only a right to estimate his loss upon the trade price, at the time he delivers the eleven copies.

As to editions of classical books of reputation, is it within your knowledge that any edition which has not found purchasers, or at least has not been exhausted, has been turned into waste paper?—Unquestionably not.

You think, then, that every copy remaining in the warehouse, however slow the sale of such works may be, is likely to be of value at last?—Surely so; and under that impression it is, that though they may be subsequent editions of the same book, that the old edition is kept, because there is no doubt of its ultimately going off. I have known frequent instances of that kind myself.

They never become waste paper?—No, they always sell, sooner or later.

The purpose for which the Committee ask that question was this; that if every copy of an edition of the classics of reputation is sure to find a purchaser at last, does it not follow of course, that the gratuitous abstraction of eleven copies would be the loss of the whole value of those eleven copies, upon the exhaustion of the remaining number in the warehouse?—Clearly so; but it would only be a loss of the prime cost. I do not attach any additional or fictitious value upon the book on that account. That is my opinion, as an individual.

Would that be equal to the value that those eleven copies would fetch in the market?—Suppose 250 or 500 of an edition of the classics of reputation to be printed, and all were sold except eleven, is not the loss of having taken away those eleven equal to the price those eleven would fetch in the market?—Certainly, the loss would be equal to the value of which they might have been sold at the time of the first publication; but I do not estimate the loss beyond the original price. I wish to state that distinctly, because I do not wish to complain of a grievance that I do not feel.

Do you mean, by the original price, the original cost, or the selling price?—The original wholesale price, because no doubt I should have sold them at that price, if I could have got a purchaser for them. I conceive my loss to be equivalent only to the original publication price, and not extending beyond that.

Mr. Charles Stothard, called in; and Examined.

YOU are a bookseller, residing in Newman-street, Oxford-street?—Yes.

You are publishing the Monumental Effigies of Great Britain?—Yes.

The price is 28 guineas the large paper, and 20 guineas the small?—Yes.

Do you publish the work on your own account?—Certainly.

Do you conceive, that the delivery of the eleven copies to the public libraries is

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is a great grievance?—A very great one indeed, for I believe that if I had known it when I commenced the work, I should not have begun it.

Do you conceive, that subject to the delivery of the eleven copies, that work could have been published by any bookseller?—No, certainly not; nor at its present price. Indeed, at its present price, it is impossible when the work is completed, that I can sell it at that price. In order to sell it, I must raise it one quarter above its present price.

You are employed at present by the Society of Antiquaries, in making a correct copy of the Bayeux Tapestry?—Yes.

Do you consider, that that work of yours could ever be published by any private individuals, subject to the delivery of the eleven copies?—I think no one would undertake it.

There are letter-press observations accompanying the work?—Yes; and the letter-press is more expensive perhaps than the plates, from its decorations.

Is it decorated with wood-cuts?—No, with vignettes on copper-plate. Indeed the letter-press is illuminated, that is to say, it is painted and gilt.

And in that painted and gilt state are the copies delivered to the Universities?—They have never been demanded yet, but I expect it. The work is nothing without it. It cannot go out of my hands without it is so done.

You have stated, that the delivery of eleven copies would have deterred you from undertaking the Monumental Effigies; would the delivery of five copies have deterred you?—I should think it a very great tax upon me. I should think it no protection from price.

Should it have deterred you from beginning the publication of them?—I should think it would. I should have taken it into consideration, because, though many copies may remain some years on my hands, I know the whole must eventually sell.

How many copies do you mean to publish?—Not more than 500.

That is the greatest extent to which you mean to go?—Certainly; I do not mean to print more than 500, including the large paper and the small.

What is the price?—Twenty guineas the small paper, and 28 guineas the large.

Is the work all finished by your own hand?—It is all finished by my own hand.

Mr. John Murray, called in; and Examined.

YOU are a bookseller residing in Albemarle-street?—Yes.

You are a considerable purchaser of copyright?—Yes, I am.

What is the average number of copies that you print of each book that you publish?—I do not think it possible to draw any average; but I think I should say of the books that I publish, that they are generally of an extensive number.

Give the Committee an average number if you can. Do you think you print more than 750, or below 750?—I think that 750 is about the ordinary number.

What is your opinion as to the class of books where the most hardship is experienced in the delivery of eleven copies to the public libraries?—I certainly conceive, that the great hardship is upon those books of which the number is limited of the copies printed.

In the case of an edition of 750 copies, where the actual cost of the eleven copies bears a proportion of about three-fourths per cent., do you think that, a work so sold, would bear any addition to the price, so as not materially to affect the sale, or would prevent a single purchaser?—If I sold an edition of that number, and where the eleven copies bore that proportion, the most that could be added would be about three-pence, which is a price I think that ought not to be charged.

Making it an even sum, by adding, for instance, upon a work of three volumes, four-pence per volume, making it a shilling, do you think that would prevent a single purchaser?—But even then, that would be making two volumes 12s. and the third 13s. which is a price that can hardly be considered as fair, beside two volumes being charged at 12s. each, and the third at 13s. would make the price odd, and I feel myself, that there is no possibility of making any rise in the price in that way, so as to be satisfactory to the public.

Would the addition of 1s. to 20s. distributed over a number of volumes, of the

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the work, deter a single purchaser?—I am confident that it would be a very great hurt to the sale of the whole work, for a *guinea* is a peculiar sum, which often deters purchasers.

Would the addition of a shilling to the price of a book, supposing it to be 43s. 44s. or 45s. deter a single purchaser?—The Committee must be aware, that the bookseller naturally puts the highest price upon his book, taking care not to diminish its chance of sale. In an edition of that sort, I should conceive it hurtful to my interest, and would deter purchasers, if I charged more than I thought the book would fairly bear.

Has the trade of a publisher been increasing or declining since 1814?—I have been so particularly fortunate myself, that I can speak, particularly, only as to my own trade.

But from your general observation, what is the impression of your mind as to that point?—The fact is, general observations in cases not falling under one's own particular experience, would, perhaps, be of little importance; if I were to give any opinion upon the subject, it could only be drawn from my own particular experience, and I might, perhaps, have a better sale for my books than other persons in the same trade. I am, in fact, not able to state, generally, as to the state of the trade, for I am seldom concerned with the booksellers in the books in which they unite.

In treating with an author for the purchase of copyright, should you give more for the 28 years, now absolutely extended to authors, than you would for his copyright of 14 years, as formerly?—I do not think that I should, because there are so few books, upon the copyright of which we can calculate for its extending to 28 years. The chance that a book will survive the first 14 years, is so small, that I do not feel that the 28 years certain copyright in the generality of works, would be sufficient to enable me to increase the terms of the author; generally speaking, there are very few books whose reputation extend beyond 14 years, so as to render them a valuable property after that period.

It is uncertain, when you treat with an author, whether his work will sell or no?—Certainly.

But in engaging with him, you of course suppose that there may be a good sale, otherwise you decline the engagement?—Yes; but a good sale, is that sort of sale, as bears a reference to the expenses of the work. In considering the prudence of purchasing a work, we must exercise our judgment as to the prospect of its sale.

Are you not aware, that in 1814, that it was considered a great point, for which many petitions were presented to the House of Commons, to have the contingency of the 28 years copyright turned into a certainty?—I think it was so considered, but I do not believe I was one of those who was very desirous of that extension.

When you mentioned, that an additional price to the book would be a disadvantage, is not the reason for making that observation, because in laying on the price originally, you calculate not upon the lowest price at which you could effect the sale, but at the highest price you can expect to get?—The price that I fix upon a book intended for sale, is adapted to the sum which it cost me in the first instance, and of course that price is as large as I think it prudent to charge, with a view to the disposal of the copies.

The limit you put to the price of the work, is that which you think would not impede the circulation of the book; you would not go so high as to produce an obstacle to the attainment of that object?—Certainly not.

Would you think, that in an edition of 750 copies, the obligation to deliver 11 copies to the public libraries, a reason for increasing the price of the book, beyond that which you would otherwise put upon it?—Certainly not.

Did you not publish "The Costumes," of various countries?—Yes.

Was that an expensive work?—It was very expensive.

Should you not now hesitate in the publication of such a work, knowing that you would be compelled to deliver 11 copies to the 11 public libraries?—Certainly, I would.

Were you not concerned in the publication of the Harleian Miscellany, Lord Somers's Tracts, and Pier's Ploughman's Visions?—Yes.

Would you, knowing that you are compelled to deliver 11 copies of all works, be disposed to engage in the publication of such books?—In the publication of Pier's Ploughman's Visions, I think I should not have engaged in it,