

Rev.

William Webb, D.D.

Do you think the publishers of Lodge's *Illustrious Portraits* are aware of that fact?—I do not know, but if they were much injured by it, they would apply to the University for it, I should think.

You are aware, that there are in many College libraries large and valuable historical collections, Saxon and other, which have lain there since the days of Archbishop Parker; do you conceive that the demand of eleven copies gratuitously would not be a great burthen upon any person undertaking the publication of such documents?—I think, not in the least. I think they ought not to influence any publisher whatever, and that their being deposited in the University library, would rather tend to increase the sale of them than to diminish it, particularly in great works; it is of immense importance that the publishers should have them deposited in the University library, for the College libraries know the value of them from that circumstance.

Do you conceive any great and splendid work loses purchasers by its not being known?—Yes; I conceive particularly, books of prints, they are known from inspection; and if persons do not see them, they cannot judge of the value of the work, which they do by inspecting the mode in which it is got up.

You speak specifically of books in which there are prints; you are aware probably, that Mr. Stoddart is publishing the *Monumental Effigies of Great Britain*, price 20 guineas, that all the copies of it are curiously painted and illuminated by Mr. Stoddart's own hand; do you not conceive, that the gratuitous delivery of eleven copies in this case, is a great hardship on Mr. Stoddart?—I did not know before, that there was such a work publishing; but I should say to Mr. Stoddart, that it would promote the sale of that work, if he sent a copy of it to the University library.

Mr. Lysons has expended 6,000 *l.* and been employed 25 years on a great work, called *Reliquiæ Britannico Romanæ*; 25 copies only have been sold; they are finished by hand as called for; the delivery of the 11 copies therefore, being a mulct on Mr. Lysons of 660 guineas, he has been compelled to publish the plates of his latter numbers without any letter-press description whatsoever; do not you think, that such an obstacle in the way of authors, is a great injury to English literature?—I think, that if Mr. Lysons had published that work with letter-press, and sent one copy down to the University of Cambridge, he would have found that he would have sold many more copies than the 25, of which he has had a very slow sale; there are a number of young men, who regularly give books to these College libraries, and on seeing a valuable book in the University library, they will present it to the College library, and being in the University library, contributes very greatly to the sale of the work.

Do you suppose there is a person in England conversant with the Roman antiquities, who does not know the existence of Mr. Lysons's work?—Yes; I do conceive there are a great number, who, from the expense of it, have not seen the work.

Have they not heard of it? No doubt, but it is not often that people buy a book of that expense without seeing it; and it is a view of that book that contributes to the sale of it.

Do you not consider that a selection of good works, and the return of books rejected which you have described, is in fact throwing all the burthen of this tax on good literature, and on works expensive to publish, the bad and the cheap going free?—I do not conceive that it is any expense to literature, that the good works should be deposited in the University library, the sale of them is increased thereby.

Are there more students resident in the University now, than there were when the Act of Queen Anne passed?—Yes, two to one.

And more also than when the late Act of the 54th of the King passed?—I think the number of members increased 500 within the last four years; by the Cambridge Calendar, the numbers are easily seen. I think in 1813, there were about 2,600, and now they are more than 3,100.

The Right Honourable *John Charles Villiers*, called in; and Examined.

Right Hon.
J. C. Villiers.

HAVE the goodness to state to the Committee, from the best of your recollection, what was the nature of the arrangement entered into in the year 1808, upon which you proposed at that time to bring a bill into the House of Commons, which from the lateness of the session did not pass?—I will state as accurately

accurately as I can what led to that, and what was the nature of that arrangement. Having lived a great deal in the University, I had a very strong sense of the importance of that right, which the University supposed they were possessed of; it was at that time in litigation, and an idea was entertained, that it might be evaded by not entering the books at Stationers Hall; the sense I entertained of the value of that right to the University, which, I believe to be of the utmost importance; the presentation of new books constantly before the eyes of the University, particularly to that part of the University which is either occupied in giving or receiving lectures, was, that it was a very valuable privilege; this I state as the motive which led me to interfere in the matter; I was extremely desirous, not to interfere in any manner to the prejudice of authors, or the purchasers of copyrights; I therefore took some pains in looking over the whole of the question, to see whether any thing occurred which might be a beneficial arrangement for them, as well as facilitate the enjoyment of the right belonging to the University, whether the enlargement of the copyright, which stood at that time upon a very inconvenient and very unjust footing, might not induce the persons engaged in publications to acquiesce without further hesitation in the claim of the University to their books. I really cannot state with precision, whether that idea occurred to myself, or it was suggested to me; but in consequence of that there were several meetings, some at my own house, and one at the house of Mr. Butterworth, of the persons whom I understood to represent generally the trade in London, and in consequence of that meeting a bill was prepared, which certainly met with the concurrence of all those gentlemen; I may say, that they considered the arrangement proposed by that bill, so beneficial upon the whole, that I believe they had the goodness to express more acknowledgements to me than I deserved for the part I had taken in it. I ought also in fairness to state, that while the bill was in progress, I recollect I had notice from one bookseller who is now dead, Mr. Harding, of St. James's-street, that he was not satisfied; whether he would ultimately have been satisfied on further explanation I cannot say, he had not attended the meetings; and I heard of another person, who was not, as I understood, in a very great line of business, who was not satisfied; those circumstances, and the petition also of printers, led to the bill not passing; it was very late in the session, and if the bill met any opposition, it was not fitting to send it up to the House of Lords so late; I soon afterwards went abroad, and afterwards retired from Parliament.

Do you recollect whether Mr. Payne attended that meeting?—I cannot recollect.

Do you recollect that notice was given of an intention to present a petition from a considerable number of publishers against the Bill?—I have no recollection of that fact.

The meeting was attended by booksellers, who had engaged, not in the very high priced books, but it was at the instance of the general publishers that this bill was introduced?—I believe it was chiefly composed of persons who were the great purchasers of copyright, at the same time as the object of that meeting was to bring in such a bill, and to make such an arrangement as would be generally satisfactory, and would produce an acquiescence in the claim of the University, I conceive they, among themselves, invited all persons whose concurrence they conceived to be material.

Was there not an application made to you by a numerous meeting of the booksellers of London, that the further consideration of the whole of the bill might be adjourned until the next session of Parliament, in order to give time for a full consideration of the subject?—I have no recollection of it at this moment.

Have the goodness to look at this paper, containing a copy of certain Resolutions.

[*The same was read, as follows:*]

“ London Coffee House, 24 June 1808.

“ At a Meeting of the Booksellers of London and Westminster, held this day, to consider of the operation of the Copyright Bill, now pending in the House of Commons, if passed into a law;

Mr. Joseph Johnson in the chair.

Resolved, That as the bill essentially affects a variety of important interests, and there is not time, at this time, at this short notice, to digest

*Right Hon.
J. C. Villiers.*

all the alterations and provisions which appear to be necessary previous to its passing into a law;

That the Right Honourable J. C. Villiers be earnestly requested to move an adjournment of the further consideration of the whole of the bill until the next sessions of Parliament, in order to give time for a full consideration of a subject, in which such a variety of persons, and so large a property are materially concerned.

Resolved, That it is the opinion of the booksellers of London and Westminster, who have a very large capital engaged in literary property, that if the bill be printed, its various operations may be fully considered previous to the next sessions of Parliament, and that the views of all parties interested in the bill may be best consulted by this necessary delay.

John Harding.	J. Johnson.
John Murray.	Cadell & Davies.
W. H. Wyatt.	Longman, Hurst, Rees & Brown.
T. Egerton.	F. Wingrave.
R. S. Kirby.	W. Bent.
Williams and Smith.	Black, Parry & Kinsbury.
William Dwyer.	Samuel Tipper.
John Hatchard.	Scatchard & Letterman.
Lackington, Allen & Co.	H. D. Symonds.
Cuthell & Martin.	Joseph Butterworth.
Cradock & Joy.	James Asperne.
F. & C. Rivington.	Robert Scholey.
John Richardson.	Taylor & Hessey.
John Robinson.	Charles Carter.
Thomas Tegg.	William Otridge & Son.
B. Crosby & Co.	C. & R. Baldwin.
Greenland & Warren.	John & Arthur Arch.
Samuel Bagster.	Charles Law.
Maxwell & Wilson.	Darton & Harvey.
Richard Lea.	Robert Bickerstaff.
Joseph Booker.	J. M. Richardson.
J. Walker.	John Stockdale.
John Harris.	Vernor, Hood & Sharpe."

This no doubt passed; I am not at all clear at what period of the business this passed; there is a very material circumstance in connection with this; I cannot charge my memory, whether it was upon this that I proposed to drop the bill for that session, and whether those persons had approved of the principle of the bill, or whether this was previous to the arrangement in which those persons acquiesced. I see the name of Mr. Butterworth is signed to this; Mr. Butterworth I certainly conceive to have been friendly to the bill; I believe there was somebody representing the house of Cadell and Davies, and some person represented the house of Rivington. I am quite confident that, in opposition to all those persons, I should not have gone on with the bill; I should think it most probable, that it was in consequence of this suggestion that the bill was dropped for the time; I should also think, that amongst those there were many persons who had attended the meeting, and had approved of the principle of the bill, but on hearing objections stated by different people, they wished, exactly what those resolutions purport, that the bill should be postponed, so as to allow an opportunity of discussing the different interests.

Were the authors of any very expensive publications parties to the consultations previously to the bringing in your bill?—I should think, certainly, not as far as my recollection goes. I beg to state, that, although interested for the University, I would not have brought in the bill, unless I had conceived it could not be injurious to the persons concerned in publications.

Edward Daniel Clarke, LL.D. again called in; and Examined.

*E. D. Clarke,
LL. D.*

WHEN was the original contract for the first volume of your travels made with Messrs. Cadell & Davies?—About twelve years ago, I think.

Was the contract for the whole of the work, or did you make separate contracts for the different volumes?—The contract originally was made with them upon

upon a proposal of their own, of paying so much for every printed sheet of ten pages; afterwards finding that the work succeeded to their wishes, instead of counting the pages of the work, they thought it better to pay so much for a volume, let the volume contain what it might.

Then this contract was made before the delivery of the eleven copies was enforced?—I believe, long before; it was when our claim was in a state of abeyance, and the books were not sent down in the manner they have been since.

Have you any reason to think, from your own knowledge of, and connection with publishers, they consider it a grievance to deliver the eleven copies, or should you have thought so, if you had not heard it stated in this Committee?—I never considered it a grievance, and know it not to be a grievance; when authors are their own publishers, and when booksellers are not publishers, they bring their own works to our public libraries to serve as advertisements of those works, and to increase the sale.

What should you have said was the opinion of publishers themselves upon the subject?—The opinion of booksellers at present upon the subject is entirely biassed by a combination amongst them, to excite an opinion which we find so prevalent at present in London, that a tax has fallen upon booksellers, which has never been the case; they do not pay one fragment of a farthing of the tax, and they know it; they collect even the price of the carriage of a parcel, and the carriage of a letter, and add it to the price of the book.

Do they include the price of the eleven copies they have to deliver, among the ingredients of the price?—Every possible circumstance of loss or expense to the bookseller, they would add to the price of the volume; they must be cleared of all expense; nothing must fall upon the bookseller.

Mr. *Richard Bankes Harraden*, called in; and Examined.

YOU are the publisher of *Cantabrigia Depicta*, and the *Costumes of the University of Cambridge*; are you not?—I am.

You have published also a large view of the interior of King's College Chapel, and other large views of Cambridge?—I have.

Are the drawings for those views made by yourself?—They were.

By whom were the plates executed; by yourself, or other artists?—By engravers; my large views by aqua tinta engravers; the plates for my work by line engravers.

Do you consider the publication of coloured or of uncoloured engravings, as most advantageous to the publisher?—In point of cheapness, the coloured ones; because they are engraved in aqua tinta, which is a cheaper stile of engraving.

Can you state, from instances in your own works, for instance, the large coloured plate of King's College Chapel; comparing that with a line plate of the same size, what is the comparative expense of engraving coloured and uncoloured plates, supposing the size to be the same?—The engraving in line would be four times the expense of one to be printed for colouring; because, when a plate is intended for colouring, a cheaper stile of engraving is adopted.

What would be the expense of colouring a print of the size of your large view of King's College Chapel?—I pay 2s. 6d. each for colouring them.

Are they coloured by hand?—They are.

There is a great deal of detail in that print?—Yes, there is, to give effect to the coloured glass in the windows.

As compared with coloured prints in general, it is a print which there is a great deal of work in colouring?—Yes.

More than in colouring a landscape or view?—Much more.

How much per copy is paid for striking off the impressions of a plate of that size?—I have the printer's bill; they charge separately for them; the printing and paper, a plate of that description being very large, they charge for printing a quarter of a hundred a guinea, which reduces it to about 11d. each; the paper comes to about 7d. each, being a very large size paper.

Can you state, generally, what you think would be the comparative expense of a print of that size engraved, not to be coloured; and one engraved for the purpose of colouring, and afterwards coloured?—It was first my intention to publish it in the line engraving, but the sum asked for the engraving was so

Mr.
R. B. Harraden.

Mr.
R. B. Harraden.

enormous, I changed my intention, as the mode of engraving was so much cheaper; they asked me about 120 guineas for engraving it in the line engraving; the aqua tinta, for colouring, did not cost me more than 30.

So that you conceive coloured prints, including the expense of colouring by hand, are, in point of fact, much less expensive than prints which are engraved not to be coloured?—Yes, the first cost is not so expensive, nor so heavy upon the publisher; I speak from my own experience.

Is there any custom among the copperplate printers, of charging for striking off a larger number of engravings than their employers actually require to be executed?—No, I think, far from it; they charge in proportion to the numbers that are wanted; in the last two or three months I had odd numbers printed, to make up sets of my works; of some I printed only half a dozen, of others twenty; they charge a proportionate price for any given number; fifty-two of one, twelve of another, and so on.

They do not charge as the letter-press printers do, by certain fixed numbers?—No, certainly not; the printing of copperplates is all London work; it cannot be done in the country.

What is the price per sheet of the best drawing paper, for prints of the size of your view of King's College Chapel?—The printers charged me 7*d.* a sheet for that; it is what they call the columbian or elephant size.

Do you recollect the dimensions?—I think it is 30 inches long, and 18 or 20 broad.

At what prices did you sell that print in its coloured and uncoloured state?—Being in aqua tinta, there were very few taken off uncoloured; aqua tinta plates are principally appropriated for colouring; when the plate is a little worn it is considered better for colouring.

You took off first those impressions intended to be sold uncoloured?—Yes.

When the plate grew a little worn, it was better calculated for striking off those intended to be coloured?—Yes, softer and better; we always consider that plates when they are worn are better for colouring.

The Committee may understand that that print of your's of King's College Chapel, was a fair instance of the business of publishing engravings in general?—I think it might be, from the attention and care it required.

By whom were those impressions coloured?—Some few for particular gentlemen I coloured myself; but from the number required, I was obliged to employ persons in London; I employed Mr. Havell, a colourer in London.

Have you seen Daniel's Oriental Scenery?—Yes.

Do you conceive he could colour those by his own hand at 2*s.* 6*d.* a piece?—I cannot speak to that, not having seen them sufficiently to examine them.

Have you seen Sibly's Flora Græca?—Yes, I have.

Do you think that could be coloured as it is at 2*s.* 6*d.*?—I cannot speak to that; for the different plates would bear a different price; no publisher would pay for all plates alike.

Do you think 2*s.* 6*d.* a plate is an adequate remuneration for an artist of eminence, who finishes every coloured copy with his own hand?—Certainly not; when I have had copies required to be touched by myself to give them full effect, they bear rather a higher price.

Are not botanical plates cheaper in engraving than views, in proportion? I have never published any botanical works; but botanical drawings, taking less time than others, are always charged lower than other drawings; drawings of botanical subjects requiring less care, they are charged much less than landscapes, or architectural works.

They are an inferior department of the art?—Certainly.

And the colouring of botanical plates is much easier than buildings?—Much easier; children are employed occasionally in colouring botanical works; it is therefore less expensive.

The same observation would apply to drawings and prints of shells, would it not?—Certainly; the figures of them do not require that attention or time which other subjects would do, such as landscapes or architectural subjects.

Are any of your books placed in the University library at Cambridge?—Yes; the *Cantabrigia Depicta*.

Do you conceive their being so placed has been favourable or unfavourable to the sale of the work.

Favourable in many instances; I have known it very favourable.

Can

Can you state any grounds on which you entertain that opinion?—After the publication was made by subscription, and a list, I have sold more copies from that source than any other; foreigners visiting the University have purchased it, in consequence of having seen it there.

Mr.
R. B. Haraden.

Do you know of any copies having been sold, in consequence of your work being deposited in other public libraries, not immediately connected with the subject of it, as Cambridge is?—I cannot speak to that; I am enabled to speak merely from the locality of the thing.

You have stated, that you consider botanical drawings and botanical prints, coloured by hand, as generally executed, less accurately than others?—Not less accurately, but, perhaps, they do not require that close attention and time; accuracy is as necessary in that as in any other, but they do not take the same time.

Have you seen Mr. Hooker's *Jungermännia*?—No, I have not seen his work. Nor his *Muscologia Britannica*?—No, I have not.

Then you are not able to state that botanical works, coloured by hand, by botanical authors themselves, or under their own inspection, are done in this slovenly and inexpensive manner?—From the simplicity of their drawings, they do not require the same time; it is necessary they should be done with accuracy and care, but they do not take the same time, from the nature of the subject.

When you stated, that botanical works are less expensive and less difficult than others, you did not mean to say, it was because they were done in a slovenly manner?—Certainly not.

But that it was a style of execution which required less skill than landscape?—Certainly; there is no sky, no back ground, no high finish, nor fore ground, to make them so expensive as landscape figures must be.

Then you consider the sky and the back ground as taking the most time and care of any part of your drawings so coloured?—And the high finish of the fore ground, will often occupy more time than other parts coming more immediately under the eye.

Mr. *Thomas Fisher*, called in; and Examined.

YOU have a work in hand, of which a certain limited number were subscribed for, concerning some ancient paintings and charters at Stratford-upon-Avon?—I have.

Mr.
Thomas Fisher.

The price being twelve and eight guineas?—Yes.

You have been seven years employed in the execution of that work?—The drawings were made in the year 1804; they were executed in polyautographic (a mode of printing from tablets of stone) between that and 1807, when the first part was published, consisting of a title and eight coloured prints from ancient paintings; the second part came out about two years afterwards, consisting of seven prints from paintings, and two copper-plates; the third part was published in 1812, consisting of one double plate of a painting, and other plates (copper) to the amount of 14, with one sheet of letter-press; the whole of the paintings were coloured by my own hand, excepting a few impressions of one, in which I endeavoured to avail myself of the assistance of colourers, but I found their work unsatisfactory to me, and discontinued the employment of them.

Was this work so commenced by you, discontinued in consequence of the decision subjecting you to the delivery of 11 copies?—Yes; printing my work at the polyautographic press. Conceiving that mode of printing to be but little understood, may I be at liberty to explain it to the honourable Committee: instead of copper-plates, or types, a tablet of stone is produced by the polyautographic printer, with steel pens and a prepared ink; a drawing is made upon the stone, which he takes away, and has a method of fixing the drawing, so as to produce or strike off, any number of copies; the number upon which I determined for my work was 120; the stone was then cleaned and brought again, and I proceeded with the second, and so on through the series of plates; my fixed number was 120 impressions.

You were, therefore, unable to continue your work to your subscribers, in consequence of being liable to this demand?—In consequence of having but 120 copies of each polyautographic print, when I found, by a decision in the Court of King's Bench, that I was liable to eleven actions at law for the recovery of 11 copies by 11 privileged libraries; I conceived it would be impossible for me to comply with that demand, and I discontinued the work, more especially,

280.

B b

because

Mr.
Thomas Fisher.

because the interpretation of the law alluded to, the 8th of Queen Anne, gave them a right to large paper copies. I was in the predicament of having subscribed away all but four or five of my large paper copies, so that I had them not to produce.

If you had fixed upon 131 copies originally, instead of 120, you would have been equally able to have struck off the one number as the other?—As to the printing, if I had desired 5,000, I could have had them printed, at a fair price, only the expense of paper and of printing; it was then a rather more expensive mode of printing than others.

There is nothing in the mode of your engraving which precluded your striking off 11 more copies, had you, at the time, been aware that circumstances would have rendered it necessary to produce 11 more copies; the inconvenience of which you complain arose from this, that you were not, at the time, aware that more than 120 would be required?—Exactly so.

From your mode of engraving, you used but one stone, and having completed one print, you obliterated it, and printed another; but it would have been just as much in your power to have struck off 131 as 120, and would have cost you only the difference of labour of the striking off 11 more copies?—The printer would have struck off for me any number I wanted, on my paying for paper and printing.

Those 11 additional copies would have cost the paper and printing only?—And the colouring.

What was the labour employed on the colouring?—Very great; I rejected the aid of colourers, because I found that in colouring from my copies of ancient paintings, they did not keep the outline to my satisfaction, nor give that strength of colour which equalled the originals.

The cost of 11 additional copies of the work which you have been describing, was not only the cost of the paper of the impressions, but what added the principal expense was that of the colouring?—As accurately as I can state, a valuation of my labour, at a distance of from 6 to 12 years, from the period when it was performed, and without any document to guide me, I estimate the time bestowed upon colouring (upon an average of the 17 prints of paintings, varying as they do in the size and quantity of labour required in each) at 5s. a print, for the 17 paintings.

There would have been 11 demandable, of any published subsequent to the passing of the Act?—Yes.

How many prints were there in each number?—A title and eight in the first, nine in the second, and sixteen with a sheet of letter-press in the third.

How many sheets of letter-press?—Two sheets of letter-press were printed; only one published; the other sheet of letter-press is among the unpublished matter.

What do you conceive to be the comparative expense of the mode of engraving you have just described, including the subsequent colouring, and the expense of line engraving, taking the same plate?—I am not sufficiently conversant with the expense of line engraving, accurately to answer that question.

Which do you conceive to be the most expensive?—The striking off poly-autographic prints, does not cost above 20s. per 100; the printer would, at that time, make an agreement for 10s. or 20s. a hundred, according to the size of the plate. The person executing the design is not the engraver, but he executes the design with steel pens or crayons on a tablet of stone, from which the printer prints.

Did any of the privileged libraries subscribe to your work?—The Register of the University of Oxford, with whom I have some personal acquaintance, when he saw it, told me to leave a copy with him, and he had no doubt, when it was finished, the Bodleian would have it; that copy remained with him till the last summer, when I called and intimated that I had no idea it would be completed, and it is to be returned. The King's bookseller takes one large paper copy for His Majesty's library; and I believe that Richardson, the printseller in the Strand, took one small paper for Cambridge. I had no direct subscription that I am aware of from public libraries.

In order to supply the 11 libraries, had you continued the work after 1814, in every part, which consisted of nine prints, you would have had to have coloured extra 99 prints?—Yes. The first part contained a title and eight coloured plates of paintings; the second part, seven coloured plates of paintings, and two of copper; the third part, one coloured painting, a double plate, and copperplates

copperplates of seals and fac similes of manuscript documents, which were furnished to me by the corporation of Stratford-upon-Avon, illustrative of the History of the Guild of the Holy Cross; the fourth part, of which some plates are in existence, would consist of many copperplates and of letter-press, which would cost me about 100*l.* in finishing.

What was the sale price of each of those parts?—The 20 large paper, three guineas a part; the small paper, two guineas a part.

You have stated, that those parts cost you 5*s.* a print to colour?—I think the time may be worth that, on the average of the 17 prints of paintings.

What did you pay your colourers, while you employed them?—A shilling a print; but their work was very unsatisfactory, and I had very few coloured by them. The painting of the death of Becket, was I believe, the only print which I entrusted to colourers as an experiment.

If those cost you only a shilling a print to colour, explain the statement of their costing you 5*s.* each?—I considered my own time, with the extra labour I bestowed upon those I coloured, which I might have employed in making original drawings, as of that value.

What time did the colouring of each print take?—At this distance of time, I suppose three hours; some of them, more.

Is it your time as superintending, or colouring, that you value at 5*s.*?—I have estimated my time as employed in colouring of them.

You have stated, that you employed persons to colour those prints, at a shilling a print, and in consequence of their executing them very ill, you coloured the rest yourself; could not you, do you apprehend, have employed other persons better qualified for the purpose, at a less expense than 5*s.* a print?—I did not know any persons at that time, nor do I now, who would have taken sufficient pains with them. Colourers, I believe, get a slight mode of doing things, which they cannot part from.

Suppose a part of your work, with nine prints in it, all coloured, to have been published subsequent to the Act of 1814, of course 11 copies of that would include 99 prints?—Yes.

You state, that the colouring of each of those prints, would be 5*s.*; that is the sum at which you value your labour?—Yes, on the average of the paintings.

It would follow then, that 11 copies of such parts, so coloured, would cost in the colouring only, 24*l.* 15*s.*?—Yes; the value of my labour, I estimate, would be about that, on the average, provided nine prints were in that part of the average value; but a reserve was made, of by far the most laborious painting, for the third part, which contained only that painting, and some inferior plates, and was charged like the rest, three guineas and two guineas.

That is exclusive of the expense of the design upon the stone, and of the engraving, or whatever the expression is, and exclusive of the paper on which the impressions are taken?—Yes; the colouring is the chief expense in those paintings.

What did your paper cost you?—About 7*l.* and 9*l.* a ream.

How much would that be a sheet?—About 3*d.* and 3½*d.*

What proportion of a ream would you use for the 120 copies?—Two quires and four sheets, for 100 small paper; and 10 sheets for the large paper of each print.

What would be the expense of that?—A quire would be about 6*s.* 6*d.* or 7*s.*; 7*l.* a ream, is 7*s.* a quire, including outsides.

It would cost you about 12*s.* or 13*s.* for the paper, for each copy of the whole work?—About that, it must be.

What did you state to be the expense of striking off 120 copies of each plate?—About 1*l.*

It was the expense of colouring the eleven copies that deterred you from going on with the work, reckoning your time for colouring each at 5*s.*?—Yes, at 5*s.* on the average; if I completed the work, I was at first liable to give the three parts already published.

Because the colouring of each part of the plates would cost you, in colouring only 24*l.* 15*s.*—The consideration that chiefly deterred me was, that I could not repair the loss of those eleven copies; therefore I considered my positive loss to be the whole of what those eleven copies would have sold for; for I calculated upon the sale of the whole of my small impression.

You say, that the expense of striking off the 120 copies of each plate, you reckon the printing and paper at 1*l.* 12*s.* and by your original agreement, if you had been satisfied with the performance of the colourers at a shilling a plate, it would have been 6*l.*; that would make the expense of the 120 copies

Mr.
Thomas Fisher.

copies of each print 7*l.* 12*s.*; to that must be added, the expense of the drawing upon the stone, what would you put that at?—I took some pains with it, with a view to accuracy; they vary in labour, and would vary much in the quantum of time required to execute them.

How much time would it require?—Perhaps about a couple of days on an average.

How many hours a day would you devote to it; twelve hours?—Six or eight; it was troublesome work, and my first attempt.

About twelve hours would effect it?—Yes, taking one with the other, as nearly as I can recollect at this distance of time.

Putting three hours at 5*s.* that would be about 1*l.* bringing it up to 8*l.* 12*s.* for the 120 prints?—Yes.

Do you not consider your great loss to be that of your time, and very considerable labour for seven years, in accurately copying old paintings, old writings and old seals, in addition to the pecuniary expenses you have been at?—Yes, I do.

Were you now, since the passing of the Act of 1814, to consider in your mind, whether you would or would not undertake such a work as you describe yourself to have undertaken, and ceased to go on with; would you now decline going on with that work, on consideration of the unremunerated labour that the colouring of the eleven copies would cost you?—I should decline it, because it is a work of rather an abstruse nature; copies of ancient writings and ancient paintings are very desirable to students in antiquity, but it is not a work of general acceptance; the sale is, therefore, never likely to be great. I had the opinion of an experienced dealer in prints, when I fixed my number at 120.

Could you spare to give gratuitously the colouring of ninety-nine impressions, which you reckon at 5*s.* an impression?—I could not.

Did your advertisements cost you any thing?—In the Gentleman's Magazine I announced each part.

What expense may you have incurred in advertising?—Only half a guinea a time.

Do not you conceive, that a greater number of purchasers might be procured for your work, if it were more known by being to be seen in places where it would attract curiosity and attention?—It was to be seen at White's, at Mr. Nicholls, Pall Mall, in Bond-street, at most of the principal booksellers, in the winter season, at the time it made its appearance.

Did you think it of importance to send it to those places, as places where the public attention was likely to be attracted to it?—I had no such idea, that I recollect.

For what purpose was the book sent to those publishers?—They subscribed for or undertook, two or three of them, to take copies and sell them; but I never recollect to have permitted it to be displayed in a shop window at the risk of spoiling a copy; I relied on the Gentleman's Magazine to make it known.

Did you not consider the mode you adopted to be the means of attracting public attention to it, and securing the sale?—I conclude, its being known would tend to sell copies. The booksellers who took it would show it to probable customers for their own sakes.

Then should you not also think, that the distribution of a limited number of copies, in places to which there is great resort of persons of literary curiosity, and science and taste, would be the means of adding to the number of your purchasers?—Under that impression, I suppose, the copy that was sent to Mr. Gutch, the register of the University of Oxford, in 1807, was sent. I obtained one subscriber at Oxford.

What was the selling price of the first part, consisting of nine plates?—Large paper three guineas, and small paper two guineas.

How do you reconcile that price with your estimate of the expense of colouring, which you state at 5*s.* each print; nine prints at 5*s.* would be more than two guineas, which is the sale price of the number?—The first part contained a title, and eight prints of paintings; the second part contained seven prints of that description, and two others; but the third part was made up of different materials, as I have stated; one painting only, a large double plate full of small figures, which occupied as much time in the colouring, I think, as five of those which had preceded it, as a reference to the published parts will show; other plates engraved, and some plates of seals that were tinted made up the third part.

The

The Committee, then, are not to understand, that your estimate of 5s. a print applies, by any means, to the greater part of your work?—Only, on an average, to the seventeen plates of paintings; there would be nearly fifty plates in the whole, polyautographic and copper, published and unpublished.

Had this work of yours been completed, do you consider that the copyright of it would have been of any value whatever to you?—I think no person would have pirated it, on account of the labour the colouring would have required, as well as the expense of the work, and small eventual sale.

Are not those engravings already protected by Act of Parliament?—I understood them to be protected under the Act of 8 Geo. II. I have inscribed them in the usual manner.

You thought the protection of the copyright an advantage to you?—I put the usual inscription, but I do not know whether any person would or could be at the trouble and expense of re-engraving them and colouring them.

Your motive for putting the inscription was to take advantage of the Act, whatever that advantage might be?—Certainly, the Act of 8th Geo. II; which, I believe, requires no presentation of copies; but will the Honourable Committee permit me to add, that, from my experience of the slowness of the sale of my works, and the labour and expense which has attended the getting them up, as well as from a consideration of the expense of prosecuting a piracy, I am of opinion, that statutory protection is not requisite or available to such works.

You have been engaged some years in another work, to be published by subscription, called “Bedfordshire Collections.”—Yes, I have.

Of which the price is nine guineas?—When it is completed, in six parts, at 30s. each part, it will be 9l. a copy.

This work you are now delivering to your subscribers, divested of its letter-press, in order to avoid the delivery of the eleven copies?—I struck off 100 from each plate; and conceiving the claim for eleven copies upon a work, of which I have sold hitherto only 45, and which is much in debt to me, a hardship, I have deferred the letter-press, expecting thereby to save the eleven copies.

Which method of publication is highly unsatisfactory to you as an author, and, you conceive, will be injurious to the sale of your work?—I certainly should have liked to have published letter-press; I have materials for eight sheets of letter-press, but to give away 100 engravings is too great a sacrifice; the letter-press might be worth 5s. separately; the engravings which it entails, 8l. 15s., making the total sum.

You do not conceive, that the addition of the letter-press would give such additional value to your work, as to make eleven more copies sell, than would sell without it?—Booksellers say, the letter-press would give it sale.

But not to the amount of eleven additional copies?—I cannot tell to what amount.

You presume not, or you would probably add the letter-press, in order to procure you a sale equivalent to the sacrifice?—I think it will go off in time as a book of prints; while it remains a book of prints I shall sell it, and get rid of it at a good price, in some time; but if I gave eleven copies out of my hundred, I should lose the whole value of those eleven copies.

You do not conceive, that the letter-press would justify you in increasing the price of the work, or would produce the sale of a larger number?—All the complaint is, that it is too dear; opulent persons in the county say it is too high priced; and they may be supposed to have most interest in it.

Are there any coloured plates in that work?—Only slightly tinted; all slightly priced; tinted; there may be 30 or 40 so tinted.

Is that done by hand, by yourself?—All done by hand.

Then there would be the additional labour of tinting by hand upon those eleven copies, if they were to be delivered?—Yes.

Do you tint those yourself?—A young lad has tinted most of them.

Jovis, 7^o die Maii, 1818.

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

Mr. *George Greenhill*, called in; and Examined.

Mr.
George Greenhill.

HAVE all the books which have been delivered at Stationers Hall, been regularly forwarded to the public libraries?—Yes, all.

The Committee observe, upon the 6th of May, Holford's Margaret of Anjou; was that sent to Oxford?—I should say, they certainly were all sent from Stationers Hall.

Joyce's Practical Arithmetic, the fifth edition?—It went to Cambridge, and, I presume, to Oxford also, for the parcels are all looked out at the same time.

Porter's Scottish Chiefs, and Porter's Thadæus of Warsaw?—The Scottish Chiefs was sent to Cambridge, and, I presume, went to Oxford likewise.

How does it happen you are certain it went to Cambridge, and only conjecture it went to Oxford?—For this reason; in 1816 the principal librarian at Cambridge wished to have an alphabetical list of the contents sent down with every parcel; and I complied with his request, and began it with a parcel that went from Stationers Hall in May 1816; and I have continued doing that up to the present time.

You do not keep any special list of those you send down to Oxford, do you?—No, none at all; I have another index of all the books that are entered monthly; and as they are looked out, they are marked off.

In every case in which you received books, you have sent them to the eleven libraries?—Yes, most assuredly I have.

No instance has occurred, in which you have not done so?—None at all; all which have been sent to Stationers Hall, have gone out again from us packed up very strongly and securely, that if the parcel reached the University, it is fair to presume, all the books that it contained reached the University also.

They are sent in large parcels?—Yes; about five or six times in the course of a year.

So that if any particular work in such parcel was missing, the whole parcel must have been missing?—Yes, if it arrived in the state in which it left the Hall.

How do you account for so great a number of the books, in the first page of the printed list of books entered at Stationers Hall, returned to the House of Commons, not having arrived at the library of the University of Cambridge?—I can almost venture to say, that every one of those books, mentioned in that list, was sent to the University of Cambridge.

You made a return to the House of Commons of all the books, up to the period at which the return was made, that had been then entered at Stationers Hall?—Yes, I did.

That return was printed?—Yes, it was.

You are confident that all the books included in that return, as entered at Stationers Hall, were sent to Cambridge?—Yes, I am, for I myself, with the assistance of the porter, look all those parcels out, and nobody goes into that warehouse where those entries are, but the people belonging to the Hall; and after the parcels are looked out, the porter packs them up as quickly as he can.

Have you ever had any complaints from Cambridge, that they have not received any book which they expected to receive?—None at all.

'Till you heard of this yesterday, had you the smallest suspicion that any of them had not arrived?—No.

Are the booksellers put to any expense in sending those books to the public libraries?—No, for they send them in by their own porters.

Do the public libraries who receive the books, pay the charge of the carriage?—Yes, and pay certain fees, which include the trouble of packing, cartage and portorage, to the inn and elsewhere.

Then

359

Then they pay the carriage besides?—Oh yes.

Do not the booksellers pay you a fee when they enter a book at Stationers Hall?—Certainly; they pay me 2s. for the entry.

That is according to the provisions of the Act?—Exactly so.

Mr.
George Greenhill.

The Rev. *Thomas Gaisford*, called in; and Examined.

YOU are professor of Greek in the University of Oxford?—Yes.

And one of the Curators of the Bodleian Library, and a Delegate of the Clarendon Press?—I am.

Rev.
Thomas Gaisford.

Have the goodness to state to the Committee, at what period the privilege which the University possesses, of receiving a copy of each work entered at Stationers Hall, commenced?—I believe the year 1610.

In consequence of an agreement entered into between Sir Thomas Bodley, by whom the library was restored, and the Stationers Company?—Yes.

Have the goodness to state the general purport of that agreement?—That a copy of every work published by the incorporated stationers of London, should (be sent to the Bodleian, on condition that that book should) be produceable to them, at any time they should want it for the purpose of being reprinted, they on their parts agreeing to return the book uninjured.

[*It was read, as follows:*]

“ A Deed of Grant from the Stationers Company, intitling the Bodleian Library to the first correct impression of every book printed by them.

“ This Indenture, made the twelveth day of December, in the yeares of the raigne of our Sovereigne Lord James, by the Grace of God Kinge of England, Scotland, Fraunce and Ireland, Defender of the Faith, &c. that is to say, of England, Fraunce and Ireland the Eighth, and of Scotland the Four and Fortieth. Between the Master Wardens and Commonalty of the Arte or Mistirie of Stacioners of the Citty of London of the one parte, and the Chancelor Master and Scholars of the University of Oxford of the other parte, witnesseth, That the said Master Wardens and Commonalty, out of their zeale to the advancement of good learning, and at the special request of the Right Worshipful Sir Thomas Bodley, Knight, founder of the present public library of the University of Oxford, being ready to manifest their willing desires to further a worke of so much pietie and benefitt to the general state of the realme, have graunted and confirmed, and by these presentes, for them and their successors, do graunte and confirme unto the said Chancelor Masters and Scholars of the University of Oxford, and to their successors for ever; that of and uppon all books whatsoever hereafter from time to time to be printed in the said Company of Stacioners, being new books and coppies never printed before, there shall be freely given one perfect booke of every such booke (in quires) of and uppon the first impression thereof, towards the furnishing and increase of the said library. And that the party or parties, that from time to time shall print or cause to bee printed any such new book or cotype never printed before, shall uppon the printing of the first impression thereof, according to the true intent and meaning of these presents, deliver or cause to be delivered one perfect booke thereof to the use of the said library, to the hands of such person or persons as shall be appointed and authorized by the Chancelor Masters and Scholars of the said University, to gather and receive the same bookes. Provided always, and it is graunted and agreed between the said parties to these presents, for them and their successors, that if the said Master Wardens and Commonalty of the said Arte or Misterie of Stacioners, or their successors, or any of them, shall stand in wante of any booke that is at any time to be had in the said librarye being of their own guifte, that then they may borrowe the same to bee new printed, redelivering the same booke presently after to the library; and if the booke so desired shalbee of any others guifte, that then it may be lawfull for any one or more deputed by the Master and Wardens of the

Rev.
Thomas Gaisford.

the said Arte or Misterie of Stacioners for the time being, to have accesse at all times convenient to the said library, for the wryting out or copying thereof, or for conferring other copies therewith, as the necessary occasions of their impression shall require, unlesse for very speciall and extraordinary causes, it shall bee deemed expedient by the greate convocation of the said University, to inhibite the transcribing of some certaine booke or bookes not fit to be divulged. In whitness whereof to the one part of these present indentures, remaining with the said Chancellor Masters and Scholars of the said University of Oxford, the said Master Wardens and Commonalty of the said Arte or Misterie of Stacioners of the said City of London, have set their common seale; and to the other parte of these present indentures, remaying with the said Master Wardens and Commonalty of the said Arte or Misterie of Stacioners, the said Chancellor Masters and Scholars have sett their common seale. Yeoven the day and yeares first above written, 1610."

An Order at a Meeting of the Master Wardens and Assistants of the Company of Stationers, for the better confirming the preceding Deed of Grant.

" 28th Jan. 1611, nono Regni Regis Jacobi, at Stationers Hall, in Ave Mary Lane, in London;

" Present,

" The Master, Wardens and Assistants of the Company of Stationers.

" Forasmuch as this Company, out of their zeal to the advancement of learning, and at the request of the Right Worshipful Sir Thomas Bodley, Knight, Founder of the present Public Library of the University of Oxford, being ready to manifest their willing desires to a work of so great piety and benefit to the general state of the Realm, did, by their Indenture under their common seal, dated the 12th of December, in the 8th year of His Majesty's Reign of England, France and Ireland, and the four and fortieth year of his reign of Scotland, for them and their Successors, grant and confirm unto the Chancellor, Masters and Scholars of the University of Oxford, and to their Successors for ever, That of all books after that from time to time to be printed, in the said Company of Stationers, being new books, and copies never printed before, or, though formerly printed, yet newly augmented or enlarged, there should be freely given one perfect book of every such book in quires, of the first impression thereof, towards the furnishing and encrease of the said Library. Now, therefore, to the intent the said Grant may take due effect in the orderly performance and execution thereof, and that so good and godly a work and purpose may not be disappointed or defeated by any means, it is ordained by this Company, that all and every printer and printers that from time hereafter shall, either for him or themselves, or for any other, print or cause to be printed, any new book or copy never printed before, or although formerly printed, yet newly augmented or enlarged, shall, within ten days next after the finishing of the first impression thereof, and the putting of the same to sale, bring and deliver to the younger Warden of the said Company of Stationers for the time being, one perfect book thereof, to be delivered over by the same Warden to the recited use, to the hands of such person or persons as shall be appointed by the said Chancellor, Masters and Scholars for the time being, to receive the same. And it is also ordained, that every printer, that at any time or times hereafter shall make default in performance hereof, shall for every such default forfeit and pay to the use of this Company treble the value of every book that he shall leave undelivered, contrary to this ordinance; out of the which forfeiture, upon the levying or payment thereof, there shall be provided for the use of the said Library that book, for the not delivery whereof the said forfeiture shall be had or paid: And to the intent all printers and others of this Company, whom it shall concern, may take notice of this ordinance, and that any of them shall not pretend ignorance thereof, It is ordained, that once in every year, at some General Assembly and Meeting of the said Company, upon some of their usual Quarter Days,

or

or some other time in the year at their discretion, this present Ordinance shall be publickly read in their Hall, as other their Ordinance are accustomed to be read there.

Rev. Thomas Gaisford.

- John Norton, Master.
- Richard Field, } Wardens.
- Humphrey Lownes, }
- John Haryson. Robert Barker:
- Thomas Man. Thomas Dawson.
- Edward White. Humphrey Hooper.
- Simon Waterson. William Leake.
- John Standish. Thomas Addams.
- John Haryson.

Ric. Collins, Clerk of the Company.

“ A Commendation from the King’s Ministers Ecclesiastical of the Stationers Company’s Zeal for Learning, and their exemplary Gift and Grant to the University of Oxford, and their Promise declaratory of Support, in helping to maintain the perpetual execution of the same.

“ Having lately been entreated, as well by the said Sir Thomas Bodley, Knight, as by the Master, Wardens and Assistants of the fore-said Company of Stationers, to take some special notice of this their public Act and Grant, and in regard of our being of His Majesty’s High Commission in Ecclesiastical Causes, to testifie under our hands with what allowance and good likeing we have thought it meet to be received. We do not only as of merit commend it to posterity, for a singular token of the fervent zeal of that Company to the furtherance of good learning, and for an exemplary gift and graunt to the Scholars and Students of the University of Oxford, but withal do promise, by subscribing unto it, that if at any time hereafter occasion shall require that we should help to maintain the due and perpetual execution of the same, we will be ready to perform it, as far as either of ourselves, through our present authority, or by any whatsoever our further endeavours it may be fitly procured.”

“ G. Cant. Jo. London. R. Cov. et Lich. Jo. Roffens. Jo. Benet. John Boys. George Montaigne. Thomas Ridley. Char. Fotherbye. Robt. Abbott. Tho. Edwardes. Henry Hickman. G. Newmans. Martin Fotherby. John Dix. John Spenser. John Layfields. William Ferrand. Richard Mocket.”

Subsequently to that agreement, did not a temporary Act of Parliament pass, confirming the privilege granted by that deed?—I am not aware of any Act confirming that deed.

After the temporary Act expired, there were books sent from the Stationers Company or publishers in London, under the indenture entered into between Sir Thomas Bodley and the booksellers?—No doubt of it; there are several books entered in our register, as agreed, subsequently to the expiration of that Act.

Are you aware that in 1640, that claim, standing upon the decree of the Court of Star Chamber, was abolished?—I do not apprehend that the Court of Star Chamber gave any force to the articles between the University and the Company of Stationers.

You think the right existed independent of that decree?—Undoubtedly.

You are aware it was among the decrees of the Star Chamber?—The Court of Star Chamber merely commended the Company of Stationers, for the interest they showed towards literature, by giving us a copy of each work published by them.

The curators of the Bodleian library determine upon those books which shall be retained in the library, and those which shall not be deposited in it?—They do.

That agreement to which you have referred, extended only to the printers of the city of London?—Certainly not.

Was not the printing trade confined almost entirely to the city of London at that period?—I apprehend it was.

The great majority of the books claimed by the University are deposited in the Bodleian, are they not?—Certainly.

What proportion do you suppose the number rejected bears to the number deposited?

Rev.
Thomas Gaisford.

deposited?—A very small proportion; not perhaps one in a hundred, or less perhaps.

Speaking generally, what do you suppose to be the value of the books rejected in the course of a year?—3*l.* or 4*l.* not more.

Of what class do the rejected books consist?—School books, and such books as I heard mentioned just now, Joyce's Arithmetic, for example, we should not admit that into the Bodleian library.

All the music received by the University is preserved?—Yes; we have a large collection of music, and it is important to continue it.

Did not the curators, for a certain period after the passing of the Act, not make a general demand for works, but a requisition for particular works?—They did.

But they found it very difficult to act upon that principle?—Exceedingly difficult; in fact, impossible to discharge their duty.

They found it impossible to judge either of the value or the contents of a work by the title?—They did.

In making requisitions for particular books, did they, in point of fact, omit any work, which from subsequent information they considered valuable and fit to be deposited in the library?—I cannot speak to that.

Do not you consider this privilege of the University to be of the greatest importance?—I consider it to be of great importance to literature in general; not particularly to the University, but to the country at large.

What is the amount of the funds of the Bodleian library?—The original estate that was given to the University by Sir Thomas Bodley is about 250*l.* a year, speaking in round numbers, which is for the support of the building, the maintenance of the librarian, the under librarian, the janitor, and some other things which cannot be particularly specified, and perhaps about 50*l.* or 60*l.* is the whole out of this estate, which can be appropriated to the purchase of books. Lord Crewe gave the library 10*l.* a year for the purchase of books, and one gentleman since that, has given us 100*l.* three per cents. which is the whole of the unalienable property of the library; the rest of the revenue solely arises from monies levied upon the members of the University; a sum is paid on the matriculation of each member, and another sum of 3*s.* or 4*s.* a quarter from each member.

Does every member who has his name upon the books contribute to the library fund?—Only the graduates; all persons who are matriculated pay a fee.

All graduates, whether resident or not, subscribe to the fund?—Yes.

Do you recollect the amount each individual pays?—I think it is about 12*s.* a year.

Do you think it would be desirable, on any account, to increase the payment so made?—I think it would be impossible; I think it would tend to injure the annual amount, because our taxes are already so great, that if they were increased most likely people would take their names off the books, and the library would suffer.

Has the amount paid by each individual been raised within these few years?—It was raised about five years ago; in fact the original collection was doubled.

The University of Oxford has recently subscribed a very considerable sum in aid of the funds which have been raised by private subscription for the erection of churches; out of what fund does a subscription of that nature proceed?—From an annual tax; from a quarterly payment of 4*s.* a year from each member of the University.

The subscription to the national school is paid in the same way?—Yes, it is.

Is there not another subscription?—Yes; the other is to the Society for the Propagation of the Gospel in foreign parts.

What do you conceive to be the annual revenue of the University applicable to the purchase of books or manuscripts?—I should say, in round numbers, about £. 1,000 a year.

After providing for the repairs of the Bodleian, and the salaries of the officers?—Yes.

In what manner has that annual sum been applied?—Principally in the purchase of foreign books, and of manuscripts; within the last ten years we have expended between eight and nine thousand pounds in the purchase of manuscripts.

Has not the University incurred a considerable debt, in consequence of the purchase of manuscripts?—We are now in debt about 4,000*l.*

In

In consequence of the purchase of any particular collection?—In consequence of the purchase of a collection of manuscripts from Venice, lately made.

A considerable part also of the funds of the Bodleian is applied to the purchase of foreign literature?—Almost entirely.

Of modern production?—Yes.

What is the nature of the manuscripts lately purchased; to what class of literature do they belong?—They are very general; some Greek classics, Greek ecclesiastical manuscripts, Latin classics, Latin ecclesiastical manuscripts, Italian literature, and others which cannot be included perhaps under any general class.

Is it not your opinion, considering the present state of the Bodleian library, and the purposes for which it is designed, as a depository of scientific works, that it is more desirable to apply the disposable revenues to the purchase of manuscripts and foreign literature than to English books?—Undoubtedly.

If you had not this privilege, which enables you to acquire English publications, do you think any considerable part of the funds of the Bodleian would be applied to the purchase of English works?—Certainly, a very small portion only; in my own judgment, very small indeed.

In your own judgment, what portion of the 1,000*l.* should you advise as a curator of the Bodleian, individually, to be applied to the purchase of English works?—Not more than 100*l.* certainly.

Have the goodness to explain to what description of persons the Bodleian is open?—The Bodleian is open to all graduates above and including the degree of Bachelors of Arts.

Do you recollect at what hours they have access to the library?—From Ladyday to Michaelmas, from nine in the morning till four in the afternoon; from Michaelmas to Ladyday, from ten o'clock till three.

They have of course the privilege of inspecting every book contained in the library?—They have.

Is there great facility of admission given to other persons, who are not entitled?—The greatest possible facility; they have never, to my knowledge, been refused.

Have many applications been made by persons who were engaged in publications of works of science and other works?—Continually.

And every facility has been given to them?—Certainly.

Is not the Bodleian library particularly rich in manuscripts?—I suppose it is upon the whole the best collection in England.

Do you suppose the manuscripts are more numerous or more valuable than those in the British Museum?—I should consider so.

Not more numerous?—We have about fourteen thousand, perhaps more.

Is it not also very rich in the topographical department of the library?—Yes; we have the library of Mr. Gough.

Books can be consulted only in the library?—They cannot be taken away.

There is no objection to individuals taking extracts from the books?—Certainly not.

Has it not happened, that individuals have received, without any expense to themselves, extracts from books or manuscripts in the Bodleian?—No doubt; the librarians frequently make them for various publishers, and various authors.

Supposing the Bodleian library had sufficient funds, what portion of those funds do you suppose would be expended in English books, supposing you had overflowing funds?—I cannot say, if we had a superabundance, how it would be employed.

You would not purchase every publication?—I should think not.

Do you think an unselected possession of every book which comes from the press, of any use to such a library as yours?—It is not only desirable, but even necessary, for the interests of literature, that they should be kept.

Do you think it desirable that there should be such a register of every trifling and every mischievous publication?—I have no doubt of it; the more mischievous the more necessary.

That every person may have access to the most mischievous books, that they would not otherwise have heard of?—That is not a fair statement of the case; they should be accessible, but not protruded on their sight.

Whoever has access to the library, you mean, should have the power of calling for such a book?—Undoubtedly.

*Rev.
Thomas Gaisford.*

Are you aware that this grant, from the Stationers' Company to Sir Thomas Bodley, has ever been acted upon?—It certainly has been acted upon.

Are you aware, whether it has ever been compulsorily enforced?—I cannot say; there are no documents upon that subject.

Are you aware, that from the year 1640 to the Act of Queen Anne, it fell into disuse?—I think I can safely say, not; we have many books in that interval.

You state, that you think it very desirable that every work should be deposited in the library?—Yes.

Is that on the idea that works, which appear at the present time very trifling, may become to a future historian very important, as illustrating the manners of this day?—Yes, certainly.

Do you conceive that many works, that are very wicked in their intention, and very injurious in their tendency, might hereafter be very serviceable to those who are writing on points connected with the present period?—There can be no doubt of it.

That, for instance, to an historian of the reign of George the Third, it might be exceedingly desirable that he should have the means of referring to such a work as those of Mr. Thomas Paine?—Certainly, there can be no doubt of that.

Does it not frequently, in point of fact, occur, that the commentators on Shakespear, for instance, derive the greatest advantage in explaining obscure passages, from having the means of consulting certain works, from the titles of which you would infer, that they were of the most trifling nature, and of the smallest value?—Certainly.

Do you happen to recollect any instance, in which a commentator on Shakespear has derived advantage from any work which was published at the period in which he wrote?—I could, perhaps, mention Green's Art of Coney Catching, which is referred to in the notes in Johnson and Stevens's Shakespear, as illustrating either some fact or some expression; I cannot say from memory which.

In the same manner a treatise on Greyhounds may, at a distance of two centuries, become equally valuable as a treatise on Coney Catching?—Yes, certainly; a foreign editor of Xenophon's Treatise de Venatione, has made great use of an English work on hunting, in illustration of the Greek work of Xenophon; I do not recollect the title of the book, but the author's name is Blane; it is frequently referred to in Schneider's notes on Xenophon.

Does not the want of books of a trifling nature, rather refer to books printed in the infancy of literature, than to those printed in its maturer state?—I do not see any reason to apprehend it does.

Do you apprehend it is necessary, that every book of this kind should be deposited in eleven public libraries; would not a deposit in one great national collection be sufficient for any purpose any editor might wish?—I think, certainly not; for it is much more convenient to many literary men to come to a provincial town and University than to the Metropolis; a great many accommodations can be had in such a place as Oxford or Cambridge, which cannot be had in such a place as London.

Your answer applied particularly to books illustrative of the manners of former times, such as the lost Art of Falconry, as illustrative of Shakespear, not to the embalming all the pernicious publications of the present day?—I think, the heretical writings of the present day are too important not to be preserved; our ancestors not having procured or obtained many Socinian works, we have recently been compelled to purchase a large collection of them, in order that they may be referred to when wanted.

The object of the Bodleian is not to serve the purposes of amusement, or even instruction, to the members of the University of the present day, but to be a deposit of every species of literature?—Certainly.

Did not Sir Thomas Bodley exclude dramatic works?—Very much.

Is it not a matter of great regret to the University, that he acted upon that principle?—Yes, certainly; we have now neither of the two first editions of Shakespear.

There are several plays, which were published in that day, and which are now of no reputation, which bear a high price, and which you consider would be a great acquisition to the library?—Certainly.

With respect to the topographical department of the library, do you not preserve every work that is now published, connected with the topography and local scenery of the country?—Certainly, we do; all the Guides to the watering

Rev.
Thomas Gaisford.

watering places, however trifling they may appear at present, they may be of considerable importance hereafter.

Do not the publishers of county and local histories, derive great advantage from having access to those works, which may appear at the time to be of very little value, and to be of value only to those who frequent or reside in the spot to which they refer?—Certainly.

What is your opinion of the operation of the Copyright Act on literature; do you conceive that this tax upon the authors, or publishers, operates injuriously to literature?—I think not, or in a very slight degree, at all events.

Do you consider that the deposit of a book in the library tends to discourage the sale of that book?—Not the least in the world.

Have you, as a private individual, purchased, for your own use, works, to which you had access as being deposited in the library, but which you desired to be possessed of individually?—Yes, in very numerous instances.

And of which probably you would not have heard, if you had not discovered them in the library?—That is very possible.

Do you consider the agreement with the Stationers Company to apply to all books published by any individuals at that time belonging to that company, or simply to such works as the incorporated company had themselves a copyright of?—I do not apprehend it involved the question of copyright at all.

Do you consider that the agreement with the incorporated body of Stationers, entitled the Bodleian Library to all works published by individuals belonging to that company, on their own private account?—I should think it did; that is my construction of the instrument.

By the works at present upon your shelves, have you any reason to believe, that such universal delivery of books did take place from the year 1610, downwards?—We certainly have a great many, but I cannot say how many were published.

You have stated, that you have Mr. Gough's topographical collection?—Yes, we have.

You have the copyright of his works, have you not?—I cannot speak to that question.

Are you aware, that his Sepulchral Monuments now sell for 90 guineas? I really do not know.

Do you consider that that work would be republished by an individual, without a most serious oppression in the gratuitous delivery of 11 copies?—It is a publication which could not be made, except by us, or by our permission, because we have the plates.

Were an individual in your place, do you not consider, that the gratuitous delivery of the 11 copies, might be so great a burthen as to prevent the republication of that work?—I do not think so.

Hicks's Thesaurus was published at the University press, was it not?—I believe it was.

Do you not consider, that it would be almost an insuperable grievance to the author of so great a work as that, to deliver, gratuitously, 11 copies of his publication?—No, I do not.

With regard to your opinion of the tendency of the Copyright Act towards literature, if any instances were cited to you, upon the authenticity of which you could depend, of the actual suppression and extinction of meditated works, in consequence of the Act, should you still retain your opinion of its favourable tendency?—I very much doubt whether that has ever been the case.

If it were clear, as a matter of evidence, that works that had been meditated, had been suppressed from the operation of the Copyright Act, should you still retain your opinion of its favourable tendency to literature?—I think that is putting an extreme case.

That must depend upon the number and value of works suppressed and not merely their cost to the publisher, but their value as works of science, must it not?—I suppose it would.

When there are reprints of books, of which prior editions are in the Bodleian, without any addition whatever, do you claim those for the library?—We have been in the habit of claiming every thing entered at Stationers Hall.

Do you put them into the library?—Certainly.

Where they are exact duplicates?—It is hard to say what is an exact duplicate; our definition of duplicate, is two copies of the same identical edition.

280.

E e

You

Rev.
Thomas Gaisford.

You mentioned that you had not, but supposing you had had the first edition of Shakspeare, would you have taken the fac simile reprint which took place a short time ago?—It is very desirable that we should have it for this reason, because there is great doubt whether it is a real fac simile of the first edition.

Insomuch as it is not a real fac simile, it is without value, is it not?—That depends upon circumstances; it is without authority certainly; value and authority are two different things.

You apprehend the value of that fac simile, supposing you are possessed of the real edition, to depend upon the false prints and errors, which have taken place in the copy?—The fac simile edition is supposed to have been printed partly from the first, and partly from the second edition.

Have the goodness to explain rather more in detail why, upon the whole, you conceive it desirable, that the University library should be in possession even of an imperfect attempt to reprint what was supposed to be the first edition of Shakspeare?—It may, perhaps, be quoted as authority, and therefore it is desirable to have it in the library; the pages of the first and second edition of Shakspeare are precisely the same; they contain precisely the same number of lines, and defective copies of the one are frequently supplied from the other; these copies are made up of the two editions, and it is strongly suspected, that the reprint of the first edition of Shakspeare, was produced from a copy so made up.

On the contrary, have you not heard that it was printed from three collated copies of the first edition?—I have.

If it was printed from three collated copies of the first edition, then you admit it to be valuable as a fac simile?—But still I have reason to believe it was not.

Would not the very doubt make it proper you should have the book?—Certainly; I conceive so.

You have said, that you consider all works, whether they have merit or not, may tend, at some future day, to the use and illustration of history?—Yes.

Then how did the Bodleian fare precedent to the Act of 1814, when it had not such a supply?—We were very badly off; we had very few publications indeed.

Did literature not flourish at that period?—I cannot say any thing to that.

Do you think, that in point of fact, since the receipt of those books, that species of literature for which such accumulated books would be most useful, has improved?—I think that is a question for posterity to decide. We collect not so much for our contemporaries as for those who come after us.

You state that it is not necessary a book should be valuable in itself, in order to render it useful to put into the library; that many books that appear in themselves contemptible, may some day or other be of great use, from the mode in which they are applied to the illustration of some forgotten custom or expression?—Yes.

Are you aware that there was a parliamentary ordinance in 1643, recognizing copyright, and yet taking no notice whatever of the grant of Sir Thomas Bodley?—No, I know nothing of it.

Although you had every new publication under this Copyright Bill, do you not conceive it would have been more for the interest of literature, as well as of the public body themselves, if there was a more restricted selection of books than the immense mob of books you now get under this Act?—Certainly not.

Do not you conceive it would be more desirable for the University to retain their present privilege, than to commute it for a sum of money, even if that sum of money should exceed the pecuniary value of the privilege?—I should think it would.

Have the goodness to state the grounds upon which you form that opinion?—I think we should have a difficulty in getting information as to the different publications of the present day, by any other mode than the present.

Do you not think, that it would be an encouragement to literature in general, if, instead of delivering eleven copies gratuitously, the publisher of a useful and valuable work might depend upon eleven purchasers?—If the question is, whether it would be better for a man to give away eleven copies, or to be paid for them, there can be no doubt of that answer.

Would

Would it not be important for literature in general, that the Universities might be depended upon as eleven purchasers?—With respect to the Universities, they could not depend upon eleven purchasers, for the Universities would not purchase all publications. I do not think it would affect literature at all, either way.

Precedent to the Act of 1814, did not the Bodleian library subscribe to some great works?—We never subscribed at all; we never purchased by subscription.

Did they never purchase any modern book, which they considered a work of merit?—Certainly.

Then to that amount the Act operates, in taking away a purchaser?—Certainly.

Previous to the Act of 1814, was a large proportion of the funds of the Bodleian applied to the purchase of the literature of this country?—Very small, certainly.

Should you think a tenth was actually so applied?—I think, hardly; but I cannot speak with any degree of accuracy.

Are not the printed annual returns of the books for those years preserved?—They are.

Did the Bodleian library subscribe for Nichols's Leicestershire?—I do not think they did. Mr. Price, the late librarian, was a personal friend of Mr. Nichols, and he might have subscribed; but it was the general rule of the curators not to subscribe for any work.

But for the Act of 1814, would not the Bodleian have purchased the new edition of Dugdale's Monasticon?—I really cannot say.

Would they not have purchased the new edition of Stephens's Thesaurus?—I cannot speak to what they might have done: they would not certainly have taken it in.

Do you not think it most likely they would have purchased these two works?—Most likely they would, when completed.

You stated, that one advantage of the present compulsory delivery of the copies to the Bodleian, was, that you got books by this means that otherwise you would have had no intimation of the existence of?—Certainly.

Do you conceive, that a book of any sort of merit could long exist in the republic of letters, without the reputation of it travelling down to the Bodleian library?—Oh yes, certainly.

Is it possible, that any work upon which the public opinion has pronounced its sanction, should be obscured from the University of Oxford?—Perhaps not; but a great many works which are obscure are very valuable.

You are aware, that at the end of the Edinburgh and Quarterly Reviews, and several other publications, there are lists of new publications?—Yes.

Then if those who have the care of a public library, like that of the Bodleian, were looking out for the books that were worthy of purchase, can you conceive they would omit to look into those lists, for the purpose of directing their purchases?—I do not think they contain complete lists of the works published.

If they do not contain complete lists, do you believe a single work of eminence has ever been omitted there?—Probably not of works of eminence; but I speak not of works of eminence, but of works of obscurity.

The advantage you conceive to be derived from the gratuitous delivery, is from the opportunity it gives you of getting obscure books?—Of getting the whole, whether obscure, or more celebrated publications.

Did you not understand, that the ground of the delivery of the nine copies was in cases where copyright was required to be protected?—I am not capable of answering that precisely; I cannot charge my memory with that.

Have the goodness to refer to the catalogue of 1812; what is the total amount of books purchased that year by the Bodleian?—2617.

What proportion of those are books printed in England?—This happened to be in the year 1812, when we had very great difficulty in holding any communication with the Continent; and therefore the catalogue of that year does not furnish an instance precisely in point.

If the present Copyright Bill were repealed, there would be no difficulty in procuring lists, to be sent down as they are now, from Stationers Hall?—I am not sure that there would; I really cannot say.

Rev.
Thomas Gaisford.

You have stated, that the advantage of the present delivery, is having the earliest notice; would not you have the same early notice without the operation of the Copyright Act?—I cannot say.

You have a list from Stationers Hall furnished to you now, have you not?—Undoubtedly we have.

Do not you think it a material advantage to the University, to have the right confirmed by law, of possessing a command over the literature of the country?—Certainly, I think so.

Do not you think that right differs essentially in character, from having merely the power an individual possesses of purchasing what books he pleases?—Certainly; and is much more desirable.

It has been asserted, that one of the great objections to this right of the University, is, that they are overburthened with publications, and that at some future period there will be a necessity of incurring considerable expense for new buildings; have you any such fear?—Not at present, certainly; but if it should occur, we should provide for it.

Are there not buildings connected with the library, which might be appropriated to the reception of books, and which are at present unoccupied?—Yes, for half a century to come, or more, perhaps.

Are you connected at all with the regulation of works printed at the Clarendon Press?—Yes.

Have you a list of books purchased in 1814, when there was free access to the Continent?—The access to the Continent, was then more free than it had been, though not completely so.

That was since the right of receiving copies from Stationers Hall had been established, by the decision of the Court of King's Bench?—Yes, I believe it was.

From your connection with the Clarendon Press, and consequently with all the publications of the University of Oxford, you are aware of an estate which was left to the University, for the publication of Sibthorp's *Flora Græca*?—We have nothing to do with it at present; the press has no concern with that estate.

Are you aware that no copies of Sibthorp's *Flora*, as far as are yet published, have ever been delivered to the other ten libraries?—I do not believe they have been published, but I cannot speak to the fact respecting the *Flora Græca*.

Are you aware of the fact, of the trustees of that estate having declared that subject to the delivery of the 11 copies, that publication cannot go on?—I have not heard of any such thing.

Is it in your experience, that the publications of very valuable works are delayed constantly, from want of means on the part of the authors to execute them, and from want of publishers having sufficient enterprize to undertake them?—Certainly.

What is your opinion, as to the compulsory delivery of 11 copies, under those circumstances?—I do not think that would make any difference.

What do you think is the real amount of the tax, upon a publisher or author?—As much as the work actually costs the publisher; generally speaking, one-third of the selling price, that is the general rule of the trade.

You are a delegate of the Clarendon Press?—I am.

You believe that the cost of the publishers is about one-third of the selling price?—I think it is, generally speaking.

Do you think, from your experience as a delegate of the Clarendon Press, that it would be difficult to make an arrangement, by which 11 copies above 250, the usual amount of a small impression, might be printed without entailing the charge of printing 250 copies?—The composition of course would be the same, and that is the most expensive part; the press-work and paper makes a difference; the usual mode of printing is by tokens, as is well known, 250 making a token; the press-work would be charged for 250 copies, if 11 copies were printed over the token; but that is of very little importance, for the press-work is mere manual labour, it requires comparatively little skill, and the expense of that part of the process consequently is small.

Have you any idea what proportion it bears?—I cannot say; I believe a pressman is paid about 36s. per week.

Have you heard, that at Oxford the men are employed by the week?—Yes, they are, I believe, occasionally.

Then

Then it is of little consequence to them, whether they print 250 or 261?—
Of course; if they are paid by the week.

Do you think there would be any difficulty in delivering a quantity of paper in other proportions than a ream, or half ream, in order to supply the paper necessary for the printing of 11 additional copies?—In point of fact, in large impressions they over-print more than the 11 copies; in an edition of 1,000, they would print 14 or 15 over and above the 1,000; I speak of our practice.

Supposing you wished to print an additional number of 15, do you conceive there would be an insuperable difficulty in the way of delivering out paper to the printer, to enable him to print those additional copies above the overplus?—I cannot speak to that.

The practice of paying by the token is, in point of fact, departed from occasionally, by the pressmen at Oxford?—I have reason to think that it occasionally is.

The time limited by the Act for making the demand, is 12 months?—Yes.

Has it not fallen within your knowledge, that works of great merit have not attained that celebrity within 12 months, which has enabled you to ascertain their value?—Certainly.

Suppose a work, consisting of an impression of 250 copies, to give a profit to the author or editor of, say 50*l.* upon the supposition that all the 250 were sold, would you not think it a great discouragement to that author, if 11 copies were taken away, which will reduce that profit of 50*l.* to about 7*l.* 10*s.*?—I question whether the taking away the 11 copies, would have that effect.

If the whole 250 sold, would leave a surplus of 50*l.* after paying the expenses, it follows as a matter of course, that the deduction of 11 copies would make that difference?—The publisher has his remedy in his own hands; he may increase the price of his book to the public.

Are you aware, that the increase of price beyond a certain customary point, operates materially to prevent the sale of a work?—I should not think it would; I cannot speak to the fact, not being in trade; supposing the regular charge is 9*s.* I do not think one person less would buy a book, because it is charged 10*s.*

Do you believe, that the delivery of 11 copies, would necessitate so great an increase of price in any work, as 1*s.* a copy?—No, certainly not.

Did the Bodleian get an increase of books, after the decision of the Court of King's Bench, in the year 1812, and previous to the passing of the Act in 1814?—I really cannot speak from recollection to that.

You are not aware that they did?—I am not.

Do you consider, that of a work of which the price should be 100 guineas, it would be perfectly easy to raise the 1,100 guineas on the public, for the remaining copies?—I do not know what to say about a book of that immense magnitude, because there are very few of those books in existence; I speak of the ordinary mass of publications.

Do you not believe, that the general scale of prices of books, has increased of late years, in a greater proportion than any necessary increased expense in the manufacture of them would have led to; have they not increased as articles of luxury more?—I should think they have, certainly.

You conceive, therefore, that any small increase of price, would not operate to prevent publishers, because you have seen that a great increase of price arising from causes not strictly necessary, have not produced that effect?—Certainly.

Do you not consider the tendency of this, as to very high priced works, to be in the nature of a sumptuary law?—It falls on the proper persons, if it is; it falls on the richer class of persons.

You have said, that you thought there was a great increase in the price of books?—I think a very disproportionate increase in the price of books.

Do you not think that such increase is, in a great measure, attributable to the price given to authors?—I think that authors have very great reason to complain; I think that authors, generally, have been badly paid.

You think there has been no increase of payment to authors?—I really cannot speak positively to the question, but from what I hear, authors are very badly paid; the profits do not go so much into the pockets of the authors as of the publishers.

The question is not, whether the authors are badly paid, but whether they are not better paid than they used to be?—I cannot say.

Joseph Phillimore, Esq. D.C.L. a Member of the House, Examined.

*Joseph Phillimore,
Esq.*

YOU are a curator of the Bodleian library?—I am.

How long have you been a curator?—About nine years. I am curator in virtue of the office of Regius Professor of Civil Law, which I hold in the University of Oxford.

What do you consider the great object of the deposit of works in the Bodleian library?—In addition to classical literature and manuscripts, in which the library is very rich, we consider it a great object to make the Bodleian library a general depository for all the literature of the country.

You conceive, the possession of publications which are at present of trifling value, and probably of little comparative importance, to be a great object to an institution of that kind?—I have no doubt of it; all publications which may in any way be useful or curious, at any time hereafter, in a literary point of view, are, with this object, placed on our shelves.

Do you think it would be desirable to continue the application of the funds of the Bodleian, to the purchase of manuscripts and foreign literature?—I think it highly desirable.

Supposing the University were to lose this privilege, do you think it would be desirable to appropriate any large portion of those funds to the purchase of English works?—I think it would be hardly possible, consistently with the view the curators have taken of the best interests of the library; at the same time, I would add, we have a very considerable collection of modern literature, which it is extremely desirable to maintain.

How was that collection of modern literature acquired?—I suppose it has been acquired by bequests, by donations, and by purchase.

A considerable part by purchase?—No; I think the most considerable portion of it could not have been acquired by purchase; for the principal funds of the library are acquired by a tax the University have laid upon themselves, and that tax, though doubled of late years, does not amount, I think, at this time, to 1,000*l.* a year.

Do you not consider it exceedingly desirable that the modern mathematical works lately published in France, should be in the possession of the University?—Undoubtedly, I think it is exceedingly desirable.

Is that part of the collection very valuable?—I rather think it is not; indeed it is that branch of literature in which I believe the library to be the most deficient.

As a curator of the library, and connected with the University, do you not conceive the maintenance of this privilege to be of very great importance to the University?—I think it is of the highest possible importance, both in a general point of view, and also under the particular circumstances of the library, since in order to purchase these very valuable and rare manuscripts at Venice, to which allusion has been made, the curators have been obliged to mortgage the income of the library for the next four years, so that they would actually have no means of adding any modern books to their collection.

You say there was a considerable collection of modern literature precedent to this, whatever was the mode of its being acquired, might not the same mode have continued to supply the University, independently of the Act of 1814?—If it was chiefly derived from sources, how could it be depended upon as permanent.

If that has been sufficient, why should it be insufficient hereafter?—Because it has been principally derived from casual and precarious sources.

Have you formed any rough calculation in your mind, supposing this privilege now exercised under the Copyright Bill, were taken away, what commutation would be a fair compensation for it, to enable the University to have copies of all works which they might consider desirable?—The privilege is very valuable, but I have never made any calculation as to the exact value of it.

Under this bill they are entitled to every work; is it not a small proportion of the works published which is eligible or worthy of a deposit there?—On the contrary, we hold ourselves as trustees for the public interest connected with the library, bound to procure all the works to which we are entitled. From them, annually, a selection is made of the books to be deposited in the library, and very few are rejected.

You

You think the privilege is not susceptible of a pecuniary compensation?—
I am not prepared to say that.

Must not such commutation depend upon a circumstance which is strictly future, and cannot be known, namely, the annual value of books which may hereafter be published?—To a certain extent; but I think a fair estimate might be made of the value of the privilege, and of the terms on which the University might accede to a commutation.

Do you know how the funds of the Radcliffe library are appropriated?—I cannot speak from authority as to that point; but I believe they are appropriated chiefly to the purchase of books connected with the science and study of medicine; they are in the hands of private trustees, but I believe they have come to a resolution to place there only books relating to natural history and medicine. The Bodleian library is wholly unconnected with the Radcliffe library; the latter is under the direction of private trustees.

It would be less trouble to the curators to have the selection made in London?—Undoubtedly.

But still they feel it their duty, as trustees for the public, to desire that all books may be transmitted to them, that they may make from them their own selection?—Certainly.

And they would be unwilling to depend upon the judgment of any single individual in London?—Certainly.

Supposing the whole pecuniary amount of the value of the books which have been claimed and received by the University, since the year 1814, had been paid over to the curators, would they, do you apprehend, have thought it most for the interest of the Bodleian library, that it should be expended in the purchase of those books which have been published?—It is very difficult to answer this question, and to say how they might, under other circumstances, have exercised their judgment; they certainly would have thought it extremely desirable to have collected as much of general literature of the country as they could; but whether they would have taken the identical books, in every instance, I am not prepared to say.

Do you concur with Mr. Gaisford, that it is for the interest of the Bodleian library that every book should be deposited in it, or are you not of opinion, that the value of such a library depends as much upon its selection as its quantity?—I think, it is very desirable that the Bodleian library should contain the whole literature of the country.

Then, how do you reconcile the throwing out any?—There may be some books, which are such trash upon the face of them, as render it unnecessary to preserve them; we have in the Bodleian library the most ample topographical collection which exists; in order to maintain this, even Guides to Watering Places may be useful; it has been thought very absurd for the library to place works of this description upon their shelves, but they may be, and have been, important to persons writing on local history, and coming to consult the topographical works which are accumulated in the Bodleian library.

Here are Hannah More's Sacred Dramas in the list of those rejected?—I cannot answer to every book, or the grounds on which it may have been rejected; the curators meet every year, and make their selection; and they exercise the best judgment they can on the books submitted to their inspection and examination.

Mr. Gaisford has said, that this privilege is essential to the interests of the Bodleian, inasmuch as it is a depository of all books whatever, illustrative of the manners of the period; and therefore, for the future illustration of this particular period of history, all contemporary writings ought to be preserved in a place like the Bodleian; are you not of opinion, that if no such privilege as this existed, which gives you an indiscriminate right to every publication, that if there was a greater selection, still you might have all the books necessary in a collection of that kind, to illustrate the manners of the present period, that the present privilege, under the Copyright Bill, is not necessary for the interests of future historians?—I think, if we had not the right, we should not have quite so many books; but it is my opinion, that it should be made a depository of the general literature of the country.

Do you not think it would be almost impossible to make a proper selection, unless you have the unfettered power of making what selection you please?—I think it would be difficult.

Joseph Phillimore,
Esq.

Would it not frequently be difficult to make that selection, without having the books themselves before you, for the purpose of examination?—Yes; and, in many instances, we probably should not know of the existence of them.

Do you think it of use to have different editions of the same works?—I do.

Then, can you state upon what principle Sir Matthew Hale's *Advice of a Father to his Son*, was excluded?—I cannot speak to that particular book.

The value of a book must depend upon the particular branches in which the Bodleian is rich, or otherwise?—Yes.

The *Guide to a Watering Place* might be more valuable to the Bodleian library, for the purpose of completing a certain class of topographical documents, than either the works of Hannah More, or a new edition of Sir Matthew Hale?—Sir Matthew Hale's book is in the library, I have no doubt.

A book might be more valuable to the Radcliffe library than to the Bodleian, on account of the particular subject on which it treated?—Yes.

Is the Bodleian in the possession of the various scientific journals, published in various parts of Europe, such as the transactions of different societies?—The Bodleian is in possession of some books of that description.

Would it not require a considerable fund to complete those collections?—I believe the collection is very considerable; perhaps, however, this question can be answered better by the librarian than by myself; I can only say, there is a very good collection of those works of this description; they have more of those works of late years than they had formerly.

The Rev. *Bulkeley Bandinell*, M. A. called in; and Examined.

Rev.
B. Bandinell.

YOU are librarian of the University of Oxford?—I am.

How long have you been in that situation?—Not quite five years.

During that period, have many persons, who have been engaged in the publication of projected works, had access to the Bodleian library?—Undoubtedly; it has been the wish of the University, and I have always acted upon that wish as coinciding with my own principles, to make the library as open as possible to the public at large, particularly to authors; and I have done it to booksellers, who have referred to me for assistance, which I have given them gratis.

Do you recollect any instance, in which an application for assistance from the library has been refused?—Never.

Can you specify the names of any individuals who have received assistance from the Bodleian library?—Mr. Lysons, in his *Britannia*; he has referred to Gough's collection repeatedly; he has not acknowledged it, but I can state that, as a fact; Mr. Ruding, in his *Coinage*, has received assistance, which he has been so kind as to notice in his preface handsomely; in the new edition of Wood's *Atheniæ*, very material collections for that work are in the Bodleian, which have been open to the editor, and made use of by him.

The *Atheniæ* has been adduced as a proof of the hardship upon publishers; what proportion of that work should you suppose to have been supplied from documents in the Bodleian library?—I do not think the work could have gone on without assistance from the Bodleian library, there is so great a proportion of it.

There has been an unlimited access of the persons concerned in that work to the Bodleian library?—Yes.

The editor of that work is himself a member of the University of Oxford, and resident there, is he not?—He is a member, and at present has access to the library as a graduate; but there was a time when he had not.

Specify other individuals who have derived assistance from the Bodleian?—Mr. Britton; he is not a member of the University; he has come down to me and applied for different manuscripts and books, prints and drawings, and I have never refused him any thing; he has copied not only the manuscripts, but the drawings also; and I have always given him free access to every part of the library that he asked for.

Another work that has been adduced as a proof of this hardship, is Dibdin's *Decameron*; has the author of that derived assistance?—He has repeatedly referred to books and manuscripts in the Bodleian Library, which are mentioned in that work, and tend greatly to the illustration of it.

Did Mr. Gifford, the editor of the last edition of Ben Jonson, derive any advantage from the library?—Mr. Gifford has acknowledged the benefit. In
Lodge's

373
 Rev.
 B. Bandinell.

Lodge's "Illustrious Portraits," there are many copies from portraits in the Bodleian; the artists were admitted at all hours. I even let them go in at times, and attended myself, when the library was not publicly open.

Do not you conceive many of those individuals derive essential advantage from their access to this library, on account of its being the general depository for all works, differing very materially in value, and in the nature of their contents?—Certainly.

Do they not, in point of fact, frequently demand the sight of pamphlets that bear very ridiculous titles, and appear to be comparatively of very trifling importance, for the purpose of enabling them to illustrate the manners of the age concerning which they may be treating?—Yes, certainly.

Have not the publishers of county and local histories had access to the library, and do not you conceive they have derived very essential assistance?—They have always had assistance; and our collection of topography is so extensive and so valuable, that I cannot but conceive they have derived great advantage from it.

Do you ever exclude any topographical work?—Never.

Even the Guide to the watering places is always deposited in the library?—Yes, it is carried down into Gough's room; there is a room where Mr. Gough's bequest is deposited, and they are carried down to that room.

Do you recollect the application, by a gentleman of the name of Lowe, for access to the library?—Yes, I do.

He had some design of continuing the publication of Mac Diarmid's "Lives of British Statesmen?"—Yes.

Describe the use he had of the library?—I may scarcely be believed, but sometimes he had down almost a hundred volumes in a day; he had assistants with him, who were admitted also with him, and who took notes as he referred to those books.

Had they liberty to take extracts from any work he desired in the library?—Always; I never refused it.

He had two amanuenses constantly employed in copying?—He had.

Do you recollect the publication of a work by Mr. Triphook?—I think it was about three years ago, Mr. Triphook wrote to me, stating, that he was about to reprint an old and scarce book, entitled, I think, "Anthony Board's Book of Knowledge." The intrinsic value of the work is not great, but it is valuable from the scarcity; his copy of the work was imperfect, ours in the Bodleian was perfect; he asked me, whether I would allow him to have three or four pages copied, that he might send out a perfect reprint; I not only acceded to his request, but I copied the pages myself gratuitously.

Do you recollect the republication of a work, by Dr. Nott?—Yes.

Did he derive assistance from the Bodleian library?—I believe he did, very great; but Mr. Bliss was then assistant, and the communications were made through him; I know assistance was granted.

Was that book very rare, and considered as valuable?—It was rare, and therefore of great value.

What was the title of that book?—"The Gull's Horn Book."

That book is full of very curious and entertaining matter?—It is, certainly.

And matter that does not correspond with the frivolousness of its title?—No, it certainly does not correspond.

You find, in the course of the examination of the numerous books which must fall under your inspection, it constantly happens, that books contain information which by no means corresponds with the title?—Very often; and we found a difficulty at the first passing of the Act, in consequence of that.

Did you attempt, soon after the passing of the Act, to particularize the works which you were desirous of claiming?—The curators did.

Did they find great difficulty in acting upon that system?—I understand they did; and I should have found the same difficulty if it had been left to me.

Do you know whether certain books were excluded, of which it was afterwards thought desirable the library should be in possession?—There was a pamphlet, entitled, I think, "A Pat from the Lion's Paw;" it might not at present be very valuable in itself, but in a political point of view, to an historian hereafter, I consider it would be so.

Have the goodness to specify what the value of the work was; upon what subject did it treat?—The politics of the day.

Rev.
B. Bandinell.

In a former time, quaintness of title was a very common thing?—Certainly.

What is your opinion with respect to the operation of this Act; do you believe, from your experience, that it operates as a discouragement to the sale of those works which are deposited in the library?—I think, far from it; I think, from the inspection of certain books in our library, that the sale is extended; that the librarians of different colleges, seeing the value, and knowing it is deposited with us, which, I may say, establishes, in some degree, its value, because there is the best judgment of some of the best scholars of the University, that it should be deposited there, that the librarians of the different colleges are induced to purchase it.

There is a library attached to almost every college?—Yes, to almost all, if not to all.

There is a complete catalogue of all the works in the Bodleian?—We are at present making a new catalogue, beginning *de novo* to make it as complete as possible.

How are the books classed in the library?—The different shelves are numbered; formerly they were attempted to be classed; but from one class becoming full, and there being room in another department, we have been obliged to make some alteration in that respect; but the references are all correct, which facilitates our procuring them for readers.

Was there not an order made by the curators, that every work, printed at the University press, should be entered at Stationers Hall?—Yes.

And of course, that a copy of that work should be sent down to the other libraries?—Undoubtedly.

And you have reason to believe that they have been sent?—I have no doubt of it.

Have you not received a copy of works published at the University press from Stationers Hall?—We have.

And instructions have been given in consequence of that order of the curators to your bookseller in London, Mr. Payne, to enter your works accordingly at Stationers Hall?—Yes; a very strict order was given.

What was the date of that order?—In April 1816.

Have all books been since entered?—In consequence of a doubt having been expressed, I thought it my duty to write to Messrs. Payne and Foss, respecting it from them; I have received this answer: “Messrs. Payne and Foss present their respectful compliments to Mr. Bandinell, and acknowledge that they received a general order to enter at Stationers Hall all books published by the curators of the Clarendon press, and they have accordingly done so, except in the following instances: 1. Clarendon’s Life, sent to us last year; but in consequence of the difficulty of obtaining pattern volumes for binding the presents, and those *not yet* being completed, the work has not yet been advertized, but will be immediately, if necessary, and the book will be entered: 2. Xenophontes Opuscula Politica, 8 vo. published 25th of October last; this has certainly been neglected, but we shall take care to have it entered immediately: 3. Barrow’s Works, 6 vols. 8vo. not yet published: 4. Kennet’s Parochial Antiquities, 4 to. not yet published. There may be some few new editions of old works which may have been neglected, from our supposing that they were not subject to the provisions in the Act; such as the new editions of Stillingfleet’s *Originis Sacrae*, Pearson on the Creed, and some few school books; but if it is required to enter all such books, we will attend to it in future: Pall Mall, May 7, 1818.”

It was the intention of the University, that all works subject to the Act should be entered?—It was, certainly.

As librarian, and as a member of the University of Oxford, do not you attach great importance to the continuance of this privilege?—I do, the greatest.

Do not you attach a greater importance to it than can be estimated by its mere pecuniary value?—I should be extremely sorry to see a composition in the place of it; the advantages would be almost entirely lost at times; with respect to the purchases of books, the taste of curators might vary; one might have too great an influence, which has been the case before now in one department, and might recommend books to be bought in that department to the neglect of another; the librarian might get old or infirm, and inattentive.

In consequence of the taste of the founder, or rather the restorer of the library, all dramatic works were excluded for a considerable time?—They were.

That is an omission that is very much regretted at the present day?—Very much indeed; we are extremely deficient.

Is the Bodleian in possession of the various scientific journals, and the acts of the different academies published abroad?—We are of a very great number.

Does it not require a very considerable fund to keep up those works?—It requires a very great sum to defray the importation and the price.

You are the editor of Dugdale's *Monasticon*?—One of the editors.

Do you not consider that the delivery of eleven copies of that expensive work is a great grievance upon the publisher?—I consider that that work does not bear fairly upon this case; the hardships if any attached to that and some others of a like nature, arise in my opinion from the unwise *ex post facto* operation of the law.

In a work of such magnitude, is not the value of even the paper and the striking off eleven copies, and of the plates, very considerable?—I have no doubt that it is considerable.

The number of that reprint is limited most probably?—It is.

That work you say stands in a peculiar situation, and that you conceive the grievance of that work, being delivered gratuitously, consists principally in the Act operating as an *ex post facto* law?—Yes; the hardship, if any, arises from that.

If no part of that work had appeared precedent to the Act of 1814, do you conceive that the prime cost, whatever it may be, of eleven copies of that work would not have been considerable?—Certainly; the cost would be the same whether it was printed before or after the Act.

If 250 copies had been printed without reference to the gratuitous delivery of the eleven, yet would not the extra impression of eleven be a very heavy expense?—If the question is stated in a general way, I should be happy to give an answer; that work does not bear I conceive generally.

In an expensive work, of which the impression was 250 copies, more especially in a work ornamented with engravings, and still more if those engravings were such as required to be coloured by hand, do you not think the delivery of eleven copies would be a great cost to the publisher?—No, I do not; for I think they would regulate their price accordingly; a book, of which 250 copies were printed, we would say at 40*l.* a piece, would sell for 10,000*l.*; supposing only 239 copies were to be sold in consequence of the eleven being drawn back, the small addition of five per cent. guineas instead of pounds, would more than cover the retail price $2\frac{1}{2}$ per cent., which I am sure the purchaser of such a large work as that would not object to, would more than cover the cost price.

Do you not conceive that publishers at present put the highest price upon a work that it will bear?—They put the lowest they can afford to put, rather than the highest; but they would cover all their expenses, they would naturally endeavour to do that.

If a publisher would put upon a book the highest price at which it could find a sale, it would follow that any additional price would prevent the sale?—I am talking of what they do now.

Although every body must agree, that the access to such a collection as the Bodleian, must be of infinite service to the authors of collections; might not a case occur, in which an author was under the greatest obligation to this repository, and yet from whom the deduction, considering he printed only a limited number of copies, might be a hardship?—I think that question is answered by my former answer.

You really think upon the whole, that this privilege is not capable of a pecuniary commutation?—In my opinion it is not, of an equivalent.

Some discrimination is now exercised, as to books rejected and admitted?—Yes.

There would be an equal degree of discrimination exercised, if you had not the books by inquiry?—Then it would be subject, as I mentioned before, to the taste or to the chance of attention.

Is it not now subject to the same caprice of taste as the books received, the *Pat* from the *Lion's Paw*, was originally rejected?—No; I said it was not in the library, but it was one of those that was not claimed when we made the selection; from not knowing the contents of the book by the title, we lost the book.

Supposing the *Pat* from the *Lion's Paw*, had been sent down with all the other books, in the manner they now are, have you any doubt that book would not have been rejected?—It would have been kept.

Rev.
B. Eandintell.

Preliminary to the rejection or admission of a book, some degree of examination of it is necessary?—Very often the curators ask me whether I have examined that book; and if there is any thing mysterious in the title, or extraordinary, I always make a point of looking at it.

The rejection does not depend now upon the opinion of any single curator, but it is the joint act of the whole body?—I believe so.

Therefore the opinion of a single individual would not influence the rejection or admission of that work?—No.

Suposing you were obliged to discriminate, you would be compelled to judge from the character of the work, or to inspect it in London?—We should.

You have stated, that the University have ordered the delivery of the ten copies of all their works to the other libraries?—To Stationers Hall for the other libraries.

Is it within your knowledge, whether the parts already published of Sibthorpe's *Flora Græca*, have been so delivered?—They are not published by the University; they are published by separate trustees under Mr. Sibthorpe's will.

The University being the residuary legatee of the estate left for that publication?—After the publication is over, it may, perhaps, come before us; but I know nothing of it, further than one of the trustees calling upon me, and telling me the other day, that he should send a copy of the work to the library as a present.

You state, that you conceived that the publicity given to works, by depositing them in these public libraries, was a benefit more than equivalent to the loss of the copy in promoting the sale?—I said it rather increased the sale than diminished it.

If there were a work of 250 copies, of which every copy would have sold, then is not the gratuitous supply of the 11 copies a loss of the value of those 11 copies?—That is answered by my answer to the former question, respecting the price which would cover the delivery.

Does it not often happen, that there is a limited sum which people have to lay out in books, and that if the value of the books be increased, that limited sum will buy a smaller number of books; if a man has 50 guineas to lay out in books, and the price be increased from a guinea to 25s. of particular works, it will follow of course, that he cannot buy so many as he could when they were at a guinea?—I never proposed their being increased so much; I proposed only from one pound to one pound and sixpence.

Do you not conceive books to be an article of luxury of that description, that it is very difficult to say precisely, what amount of price will tend to check the consumption?—It must depend upon the rage of the day, if I may so say.

With respect to the publication of Dugdale's *Monasticon*, there is a peculiar hardship applying to that publication, which does not apply to others?—I stated it as arising from the *ex post facto* operation of the law.

The retail price of 11 copies of the *Monasticon*, is 1,008*l.*; the cost price may be taken at about half of that, which would be 504*l.*; do you not consider that 11 copies of a work of which the cost is 504*l.* is a serious grievance?—That is the same sort of question I was asked before, and which I answered.

That you would put it upon the other copies?—Yes.

Would it have been possible to have put such a price upon the remaining copies, as would have enabled any one to have published Sibthorpe's *Flora Græca*, of which the price is 200 guineas, subject to the gratuitous demand of the 11 copies, had no estate been left for its publication?—Really, I have not made the calculation, and cannot say; but I should think it could have been done.

Do you think that work would have been published at all, if it had not been assisted with the produce of the estate?—I do not know indeed; it is a very expensive work, and without the estate it would not have been undertaken at all perhaps.

Are you acquainted with the number of copies which were printed of the *Flora Græca*?—I am not.

Are you acquainted with the number of copies which have been sold of the *Flora Græca*?—No, I am not.

Can you point out any method, by which the addition which would be made to the expense of publication, by the demand of 11 copies, could have been divided among

Rev. . . .
B. Bandinell.

among the number of copies which have been sold?—Not knowing the number of copies printed or sold, I cannot answer that.

Could a bookseller, who knew the number of copies printed, possibly conjecture, with any certainty, the number of copies which would be sold?—I cannot answer for the bookseller's conjectures; if I was in their trade, possibly I might.

Can you state any means, by which a bookseller would ascertain how many copies out of 250, which had been printed, would be sold?—He must judge principally from the taste of the age; he would not print 250, unless he thought they would sell.

The reprint of the *Monasticon* was projected before the contribution of eleven copies was enforced?—Yes.

Do you conceive, that if that deduction of eleven copies had been anticipated, the project would have been pursued?—I see no reason why it should not.

You have said, that the principle of collection in the Bodleian library, is that of universal depository; how then could the fact of a book having been deposited there, be a recommendation of it to other libraries, the principle not being a principle of choice and selection?—I said that in part; I said, that from reference to that book, and seeing its value, and also from its being deposited there, according to the judgment of the persons who have deposited it.

If the view of the Bodleian library be an universal collection, surely no person finding it there, can suppose that any choice has been exercised in putting it there?—If we reject some, certainly there is a choice; but I did not mention that as a principal feature, but only as an additional circumstance.

Some of Dugdale's *Monasticon* was published after the passing of the Act?—Yes.

Was there any increase of price put upon those parts, to protect the proprietors against that hardship which was imposed?—No; there was no additional price.

Do you believe a single instance has occurred, in which a book rejected from the library has been sold?—Certainly, there has been no instance of the kind, to my knowledge.

(To Mr. Gaisford.) Does that consist with your knowledge?—Perfectly.

Mr. George Greenhill, again called in; and Examined.

Have you not told Mr. Rees, that you were not aware at the time, that the Universities had made any entries of books?—Yes, and the reason why I was led into that error is this: I did not enter the title from the book itself, but from a short manuscript title sent me in, which is done oftentimes; a short title of the work is sent in, and it is not said where it was printed.

Mr.
George Greenhill.

It came from Mr. Payne, and you were not aware it was not sent from the University?—Exactly so; I never saw the work, nor never knew where it was printed.

Veneris, 8^o die Maii, 1818.

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

Thomas Platt, Esq. called in; and Examined.

ARE you one of the trustees under Doctor Sibthorp's will?—One of the executors.

Thomas Platt,
Esq.

Are there any instructions in his will relative to the publication of the *Flora Græca*?—There are, as to the mode in which the work was to be published: he devised an estate to the University of Oxford upon trust, that the rents should be applied, first, in the publication of two works, to be entitled "*Flora Græca*," and "*Prodromus Flora Græciæ*;" the *Flora Græca* to consist of ten folio volumes, each volume to consist of 100 coloured plates, to be coloured from a collection of drawings which he had caused to be made for the purpose,