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SPEECH

OF

S. I. BUCKINGHAM, ESQ.

IN THE

HOUSE OF COMMONS,

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MR. BUCKINGHAM said:—I rise, Sir, in pursuance of the notice which has been some time before the House, to ask its leave to introduce a Bill, for the repeal of so much of the 54th. of George the III. commonly called the Copyright Act, as enjoins the gratuitous delivery of eleven copies of every published work, to eleven of the public institutions, colleges, and libraries of different towns in the kingdom. In doing this, I shall endeavour to lay before the House, as briefly as I can, the facts on which I shall chiefly ground my arguments for this repeal: and if these facts shall prove that the gratuitous delivery of these eleven copies, as now enjoined by law, is injurious to the cause of literature, and to the general interests of the great majority of those engaged in its pursuit, I doubt not that the House will readily accord me the introduction of the Bill proposed. We have heard of late, within the walls of Parliament, many and repeated denunciations of what are called the Taxes on Knowledge, and while one party has sought the remission of the Stamp Duty on Newspapers, another party has put forward the prior claim for a reduction of the duty on paper generally—as this affects Books as well as Newspapers, and is therefore more emphatically a Tax upon every description of Knowledge, while the stamps operate as a hindrance to the diffusion of political information only. With the views of both of these parties, I entirely concur; and I should wish to see them both successful in their pleadings before the Chancellor of the Exchequer. But, Sir, the same principle which would lead me to vote for the remission of the Stamp Duty on Newspapers and the reduction of the excise duty on paper generally, will carry me a step further, where those honourable members on both sides of the House, will I hope be ready to follow me, in demanding a repeal of the tax upon books, to the full as injurious as either of the two preceding ones, because it affects all books that are printed, whether political or otherwise, and operates most injuriously to the spread of knowledge, without adding any thing whatever to His Majesty's Exchequer in the shape of revenue. For the other Taxes on Knowledge, there is at least this apology or excuse: that they add to the public fund in the national treasury a large portion of what they take from the consumer,—though this would be no reason with me for

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defending them,—for I have voted for their repeal on all occasions, and shall do so again, whenever the opportunity presents itself. But for this particular tax upon Knowledge, which it is the special object of my motion to repeal, there is not even that feeble excuse: since it yields nothing whatever to the King's exchequer, and no portion of what is lost by authors and publishers, in consequence of this tax, ever finds its way back again to the coffers of the public.

That a tax upon the materials which enter into the composition of printed books—thus rendering the information they are designed to convey more difficult of access to the public—is unsound in principle and pernicious in policy, no friend of education can, I think, for a moment deny. But if it be wrong to tax the materials of which books are composed, what shall we say to the injustice of again taxing the books themselves when they are completed,—and that, too, to such an extent as materially to limit the profits and consumption of books in general, by enhancing their price, and presenting other hindrances to their sale; operating in some instances, as a positive prohibition, and preventing the appearance, by strangling them in their birth, of very valuable works, which cannot be published at all, and are therefore lost to the world entirely, in consequence of this most heavy and obnoxious impost? The Act, commonly called the "Copyright Act," is entitled an Act for the encouragement of learning; though it must strike all who read its provisions, that it is a strange way indeed of encouraging learning, to subject all its cultivators, who desire to make their researches public for the benefit of others, to a heavy tax, by compelling them, before they can sell a single copy for their own benefit, to give away eleven copies of their works to eleven public libraries and institutions, from which they receive no benefit whatever in return, but by which they absolutely injure the sale of their own remaining copies to a far greater extent than the loss of the eleven copies at first abstracted. If this heavy tax be really favorable to the encouragement of learning, then, on the same principle, tithes should be regarded as an encouragement to agriculture—the timber duties an encouragement to shipping—stamps an encouragement to newspapers—and taxes in general an encouragement to industry. There may have been periods in our history when such doctrines would find advocates, as in those days when men were called upon to believe that the National Debt was a blessing, as all the interest of it was spent in the country, and that taxes of all kinds were beneficial, as the money raised in this way was again distributed over the community: but those days are passed away; and even the poetical imagery of Edmund Burke, who compared the operations of taxation to the ascending of the vapours from the surface of the earth, from whence they were again poured down in refreshing showers and fertilizing dews, would find no admirers in the present age, when men have learnt to discover, that though taxes

must be paid to support the legitimate expenses of the state, all that is drawn from the people beyond that necessary amount, is to that extent a hindrance to their prosperity."

If it could be shewn, indeed, that the interests of learning required the gratuitous delivery of the eleven copies of every work now published, to the eleven favoured institutions that receive them, and that the repeal of this privilege would cause learning to wane and decay, I should hesitate before I pressed such a motion as this on the attention of the House, because I believe that the encouragement of learning, and the promotion of knowledge, is one of the first and most important duties of a civilized nation; and I believe also, that all classes participate, directly or indirectly, in a nearer or in a more remote degree, in the benefits conferred on a nation by the increase of intelligence, and above all, by its general diffusion among all classes of the community. But, if I shall be able to shew that this tax is as impolitic and injurious in practice, as it is unjust and indefensible in theory,—that it tends to the discouragement instead of the encouragement of learning—that it is not necessary to the institutions for whose uses it is exacted,—that it brings nothing to the public revenue, but on the contrary abstracts from it,—and that it is highly injurious to the interests of authors, printers, artists, publishers, and readers of books in general, I cannot but feel assured that the House will go along with me in my endeavours to rectify an evil which has been too long suffered to continue.

As I stated, however, that my arguments would be founded on the facts that I should be able to adduce in support of my proposition, I beg leave to lay before the House a very brief statement of the history of this subject, which is collected from a very able Report laid before Parliament in the session of 1818, and founded on the evidence obtained by order of the House of Commons.

The earliest foundation for a claim from any public library for a gratuitous delivery of any book, was a deed, by which, in 1610, at the request of Sir Thomas Bodley, the Stationers' Company engaged to deliver a free copy of every book printed by them as a corporation, to the University of Oxford. In 1662, an act was passed to prevent abuses in printing seditious and treasonable books, by which, three copies of every printed book were ordered to be deposited by every printer with the Master of the Stationers' Company, who was to send one of these to the King's Library, and one to each of the Vice-Chancellors of the two Universities of Oxford and Cambridge, for the two libraries there. This act, however, expired in 1695. Up to that period, the property of authors, in what is called the copyright of their original works, was held to be perpetual, and to rest in common law, according to the decisions of nine to three of the judges of the land. In 1710, the act of the 8th of Queen Anne, enacted that nine copies of each printed book should be delivered by the printer to the Company of Stationers, to be thus disposed of:—one to the Royal

Library, two to the Libraries of Oxford and Cambridge, four to the four Universities of Scotland, one to the Library of Sion College, London, and one to the Library of Advocates in Edinburgh. By this act it was always held, however, that unless the books were entered at Stationers' Hall, they could claim no protection against invasion of copyright, and unless entered there, the delivery of the nine copies was not binding. It was upon this construction of the act, that the 41st of George III. expressly entitles the Libraries of Trinity College and King's Inn, Dublin, to two copies also, of all books entered at Stationers' Hall, making the present number of eleven copies, instead of the former number of nine. In two trials that took place on this subject in 1812 in the King's Bench, it was ruled, however, that whether the books were entered at Stationers' Hall or not, the copyright would be defended from violation, and the eleven copies for the libraries would be claimed. By the last decision also, the burthen of the delivery was put on the publishers, instead of the claim being left to be made, as it formerly was, by the libraries.

In 1813, this tax was felt so grievously by authors and publishers, that many petitions were presented against it, and a Select Committee of the House of Commons was appointed to take evidence on the subject. Instead of any improvement being made in the law, however, by this effort on the part of the petitioners, it was in reality made worse; for in 1814, when the last act was passed on the subject, namely, the 54th of George III., c. 156, the eleven copies were continued to be exacted from the publishers, and that for the British Museum was directed to be of the largest size and best edition, however costly that might be, or however few the numbers of such fine copies that might be printed.

This, then, is the state of the law upon the subject at the present moment; and what renders it the more obnoxious is, that England is the only country in which an act of parliament has been passed nominally for the encouragement of learning, but in reality for increasing its difficulties, by such an exorbitant demand on its productions. In America, in Prussia, in Saxony, and in Bavaria, one copy only of each published book is required to be furnished to the State: in France and Austria only two; and in these only when exclusive copyright is claimed and protected:—while in England, eleven copies are exacted, not for the State—for of all these libraries, the British Museum alone can be considered as a National or State establishment, the other ten being exclusive corporations—and this too, applying to all works, from the "Penny Magazine" to the "Edinburgh Review," among periodicals; and from the "Child's First Lesson Book," to "Newton's Principia," among separate publications.

In 1818, five years after the first inquiry, the subject was again taken up by the booksellers, and a Select Committee was again appointed, which sat for a considerable period, and examined not less than thirty witnesses, including men of the first

eminence connected with the business of publishing. The facts contained in this evidence are so remarkable, and, as it appears to me, so convincing, that I have taken the pains to select some of the more striking portions to lay before the House; and though this may be less agreeable to myself and others, than offering the substance of the evidence in general terms, I believe it will on the whole be better to present the questions and answers in the form in which they are published by order of Parliament, that there may be no possible misconstruction, or even suspicion of misconception, as to the strict and literal fidelity of the statements themselves. I will, therefore, with permission of the House, submit these portions of the evidence seriatim, as I have extracted them from the Parliamentary Report.

Mr. Owen Rees, called in; and examined.

Have the goodness to inform the Committee what sum has the delivery of the eleven copies under the Copyright Act cost your house since July 1811?—I presume you mean from the date of the passing of the Act in 1814: From the nearest calculation we are enabled to make, the actual cost of the books delivered upon the whole since the passing of the Act, is about 3000*l.*

Is that the sale price, or the actual cost to you?—The actual cost to us, and the incidental expenses.

Do you in this include the expense of books in which you have shares, and are managed by others, or do you mean those published by yourselves?—Only those published by ourselves.

Have you in consequence of the burthen of this delivery declined printing any works which you would otherwise have undertaken?—Yes; we have declined printing some works, particularly a work of Nondescript Plants, by Baron Humboldt, from South America; being obliged to deliver the eleven copies has always weighed very strongly with us in declining other works.

Have any books been returned to you from the libraries?—None whatever.

Have they demanded all books promiscuously printed, or have they made any selection?—Every book entered at Stationer's Hall has been sent to them. No selection has ever been made; nine copies of all books have been demanded, and eleven of all, with the exception of Novels and Music, which have not been demanded by two of the libraries.

What duty do you pay upon paper?—The duty upon paper used for printing is from 20 to 25 per cent. on the value of the paper.

Are the English Universities exempted from the duties on paper?—They are exempted from that duty on all books printed in Latin, Greek, the Oriental, and in the Northern Languages, as well as Bibles, Testaments, and Common Prayers, printed by themselves at the Universities.

Can they therefore undersell you?—They have it in their power by not paying the duty on paper in those instances.

Have you any list of what the delivery of the eleven copies amounts to of any particular work?—I have the list of a few works.

1	Rees' Cyclopedia, royal	145	16	0
10	Ditto, demy	810	0	0
11	Daniell's Coast Views	346	10	0

Do you require any protection of Copyright for high priced books?—That is hardly necessary, but in a very few instances; generally speaking, there are very few expensive books of which the Copyright isof any value after the publication.

Was it not usual before the passing of this Act for the public libraries to subscribe to. and frequently to purchase, learned and very expensive works; and did not authors calculate on the Universities as probable purchasers of the work they were about to bring forward?—They certainly have looked to the Universities as subscribers or purchasers of these books; and upon examination, I find it was the custom of some of the libraries who now claim books under the Act, to subscribe to expensive works, and that within fourteen years after the passing of the Act of Anne.

Have not some valuable books been discontinued from want of sufficient subscribers?—Yes, there have been important works which have been abandoned for want of sufficient encouragement:—among others,

Rev. Mr. Boucher's Dictionary of Obsolete and Provincial Words.
Dr. Murray's (the Editor of Bruce's Travels) History of Languages.
Translations of Matthew Paris and other Latin Historians. William of Malmesbury only published. One more has been translated, but not published.
An extensive British Biography, arranged in periods. A considerable portion of this work has been written by some of the first writers of the present day.
The collected works of Sir Isaac Newton.
Hearne's (the Antiquary) Works.
Collections of the Irish Historians.
Bawden's Translation of the Doomsday-Book, after the Translation was finished, and one volume and a half printed.

Would you have preferred abandoning the Copyright to giving the eleven copies?—In most instances of expensive books we would do it, particularly in books of limited numbers.

At the time the Copyright Act of 1814 passed, did you understand it would include a demand for the reprints of old books?—We certainly did not expect it.

In point of fact, according to the Act in 1814 having been passed, have you not been obliged to deliver some very expensive works of old English Literature, which otherwise would not have been demandable?—We have.

Has not that demand had an effect, among other reasons, of inducing you not to embark in other reprints of the same nature!—It has.

Are not many of those prints verbatim reprints of works already in the respectable libraries, or some of them?—They are.

Can you state the peculiar injury to you in that series of publications in consequence of the delivery of the eleven copies?—I believe not above one of that series of Chronicles was published after the passing of the Act; it would have been very heavy had they been published subsequently to the Act.

Do you consider the tax of the eleven copies a great prevention to future undertakings of such series of ancient English Historians?—I certainly do.

You were concerned in the reprint of Holinshed and other Chronicles of English History?—I had the direction of that publication.

Mr. Richard Taylor, called in; and examined.

What would be the price of press-work and paper for eleven copies of

an 8vo. work of 30 sheets, or 480 pages?—Eleven copies of an 8vo. work of 30 sheets, the press work and paper only, not including the composition, would cost from 7*l.* 2*s.* 6*d.* to 27*l.* according to the quality of the paper and of the press-work.

What would be the price of press-work and paper for eleven copies of a 4to. volume of eighty sheets, and what would it sell for, supposing the volume to contain from 500 to 600 pages?—The price of press-work and paper for eleven copies of such a volume, which would contain 640 pages, would be about 36*l.*

Would not the public libraries be the subscribers upon whom you would most naturally depend, if the act of 1814 had not passed?—Certainly, works of that kind, and such other works as I have mentioned, must depend principally upon the public libraries for their sale.

Had you not an ancestor eminent for Biblical learning?—Dr. John Taylor, author of the Hebrew Concordance, and I was about to mention, with the leave of the Committee, that to that work, which I believe was published about 1750, almost all these libraries subscribed. I see, among the list of subscribers for that work, the College of Christ Church, Oxford; Exeter College; Caius College; St. John's College; the University Library; St. Peter's; Queen's; Corpus Christi, and Trinity. The very Rev. the Principal of the University of Edinburgh; the Bursar of Trinity College, Dublin; and the University of Glasgow, who subscribed to it for the use of their libraries. The University of Glasgow not only did not take a copy of this book without payment, but also sent him the degree of Doctor of Divinity, by the hands of the Divinity Professor, who was going to England.

Do you think that the knowledge on the part of the public libraries of the different Colleges of Cambridge and Oxford, that each of them are entitled to a copy of every work; and that, therefore, such works must appear as soon as published, has a tendency in the first instance to prevent the libraries in private Colleges from purchasing these works, knowing that they would be deposited in the University library by the compulsory operation of the law?—I think it has that tendency; and I know a very strong case in point, which was the case of some Tables for determining the value of life annuities, and securities, composed by Mr. George Barrett, who had employed himself for many years in calculating them, and for whom we printed the prospectus. The work was considered as very valuable by persons acquainted with the subject, and it was thought advisable to have it printed, but the expense was so considerable, as scarcely to make it worth while. It would have made two quarto volumes of table work, which is very expensive work, as I have already mentioned. It was a work to which he thought it probable he should easily get subscriptions from the University Libraries; because the Colleges having considerable landed property, and having to grant leases for lives, these tables would be very useful to them, and to the agents of all those who had great landed property, which they let on lease. He applied through some friend to those connected with the University Library at Oxford for a subscription; and the answer he received was, "that the University had a right to a copy gratis; and as it was only a book of reference, this one would serve all the colleges."

Mr. John Clark, called in; and examined.

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

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

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

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

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

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

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

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

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

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

What effect had the delivery of the eleven copies upon the printing of Mr. Hatsell's Parliamentary Precedents?—After deducting the expenses attaching to the publication, and if all sold, the balance of 52*l.* 6*s.* 8*d.* would be left; the universities have demanded eleven copies which came to 44*l.* 18*s.* 8*d.* and that leaves the small profit of 7*l.* 12*s.* 0*d.* on the impression.

You mean on the whole impression?—Yes.

Supposing the whole impression sold, the whole impression would have produced 52*l.* 6*s.* 8*d.* profit to the proprietor of the work, and the eleven copies to the public libraries would be 44*l.* 18*s.* 8*d.* and the difference would be 7*l.* 12*s.*; which would be the net profit resulting to the proprietor upon the whole work?—Yes.

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

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

Mr. Robert Baldwin, called in; and examined.

What is the value of books delivered by your house, since the passing of the Act?—The amount of the books delivered by us to the public libraries exceeds 1000*l.* at the lowest trade price.

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

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

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

Do you conceive the evil is to be at all counteracted by any supposed notoriety given to those publications by the depositing of such copies in the public libraries?—Not by any means.

Do you conceive that your publications acquire any advantage by any

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

Mr. John Murray, called in; and examined.

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

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

Should you now hesitate in the publication of such a work, knowing *that you* would be compelled to deliver eleven copies to the eleven public libraries?—Certainly I would.

The wholesale price of these eleven copies would amount to a very large sum?—It would be a very serious object.

What may be the amount of the books which you may have delivered at Stationers' Hall, since the passing of the Act of 1814?—The amount of the sale price to the public is about 1700*l.*; and as those books had a very swift sale, I consider that I am the loser of that sum, deducting 25 per cent., which would be the sum at which the greatest part of those works would have been sold; I would deduct about 420*l.*; the whole loss would be then about 1275*l.*

Do you not consider the compulsory delivery of eleven copies of every book that is published as a very heavy tax on those who speculate in the publication of books, in addition to the very high duty on paper and advertisements?—Very much indeed.

Mr. William Daniel, called in; and examined.

Has the Act, directing the delivery of eleven copies to the public libraries, had any effect upon any publications which you have made, or which you had intended to make?—Checking many.

Will you be so good as to state what effect it had upon you individually?—It has prevented the continuation of a large folio work, entitled "Oriental Scenery." It has prevented also a reduced edition of an African work; another of Ceylon. "A series of Scenes and Figures illustrative of the Customs of India, and of Persons and Animals peculiar to that Country." I believe those are the chief works which the Act has checked me in proceeding with.

What do you apprehend to be the actual expense of the eleven copies which you have delivered to the public libraries?—There are two publications which have been published since the Act of 1814, the one entitled "The Coast of Great Britain," of which the cost of the eleven copies amounted to seventy-seven guineas; the other a reduced edition from the large "Oriental Scenery," the cost of the eleven copies amounted to 218*l.*; those are the two chief works that I have published since the Act, of which the eleven copies have been demanded.

Previous to the passing of the Act, it answered your purpose to go on with the publication, but since you have discontinued it?—Yes, I have.

Each copy, after the paper and the plate have been prepared, before it is in that state which the public libraries would have required of you upon each volume, would come to a great deal of money?—It would come to from 10*l.* to 15*l.*

Mr. William Bernard Cooke, called in; and examined.

The Committee understand you are an engraver and publisher?—I am.

Are you not publishing a work upon the Ruins of Pompeii?—I am.

What would be the price of a complete copy of that work?—A complete copy would be sixteen guineas, and the price of the copies upon India paper thirty-two guineas.

Is that the retail price?—Yes; the retail price to the public.

Then what will be the amount of eleven copies at the retail price?—201*l.* 12*s.*; because the finest copies are claimed by the British Museum.

What would be the amount of eleven copies at the trade price?—161*l.* 4*s.*

Which of those prices would you lose by delivery of the eleven copies?—As publisher, I should lose the 201*l.* 12*s.*, the full price.

If the Act of 1814 had not passed, should you have expected any of the libraries to have been subscribers to the work?—I certainly should; because the British Museum had purchased the first edition of the Thames, and have discontinued purchasing any other work since.

What other works of this sort do you mean to publish?—I am also publishing a work called the Thames, and a Work of the Southern Coast of England, from drawings by Turner.

How will the delivery affect you upon them?—The loss sustained by delivering the Thames will be 88*l.* 4*s.*; that of the Southern Coast 134*l.*

Has the delivery of the eleven copies in your opinion operated to discourage such publications?—Most certainly.

Had you any hesitation in undertaking the work of Pompeii?—I certainly had, in consequence of those eleven copies.

The liability of the demand of the eleven copies seriously entered into your mind, when you made the calculation, whether you should or should not undertake that work?—It certainly did.

Do you think that the delivery of eleven copies of a very expensive work, of which a small number will be printed, would operate as a prohibition to the undertaking such a work?—That is my decided opinion; I have perfected two great works, which are now put by on that account, having even engraved a few of the plates, which is a great loss to me.

Mr. Joseph Harding, called in; and examined.

Are you at present engaged in the publication of any works of considerable expense?—Yes.

What works are you publishing of that description?—We are publishing an edition of Dugdale's Monasticon Anglicanum, in four or five folio volumes; Dugdale's History of St. Paul's Cathedral; Portraits of Illustrious Personages of Great Britain, in two folio volumes, with 120 Portraits and Memoirs; Ormerod's History of Cheshire; Wood's Athenæ Oxonienses, in six volumes, quarto; they are the principal works we are publishing at this time.

What will the delivery of eleven copies of these works amount to?—The delivery of eleven copies of these works will amount to 219*8l.* 14*s.*

Have you a list of them, stating the amount of each separately?—Eleven copies of Dugdale's Monasticon Anglicanum, will be an absolute loss of 81*9l.*; the loss upon Dugdale's History of St. Paul's Cathedral will be 189*l.*; the loss upon the Portraits of the Illustrious Personages of Great Britain, will be 630*l.*; the loss upon Ormerod's History of Cheshire, will be 283*l.* 10*s.* These four sums amount to 1921*l.* 10*s.*; and the loss upon Wood's Athenæ Oxonienses, will be 277*l.* 4*s.*

What loss was sustained by the delivery of eleven extra copies of Mr. Ruding's History of Coinage?—The loss upon eleven copies of Ruding's History of Coinage, amounted to 154*l.*; it was an actual loss of that sum, because within six months after the publication of the book, every copy was sold at 14*l.* a copy; and if he had had those eleven copies to sell, he would have had 154*l.* more to receive.

Can you state the comparative prices of English books printed in London, and the same works printed abroad?—I have the prices of some English books printed on the Continent, which may throw light upon that question:—Gibbon's Miscellaneous Works, with his Memoirs,

printed at Basle in seven volumes octavo, are sold retail for twenty-five francs, which in English money amounts to about a guinea; the price of the London edition of the same book, in five volumes octavo, is 3*l.* 5*s.* Pope's Works, with notes, by Wharton, published in nine octavo volumes, are sold for twenty-five francs, about a guinea; the London price, in ten volumes octavo, is five guineas. The price of Johnson and Stevens's Shakspeare, published in twenty-three volumes octavo, with sixty plates, is sixty francs, about 2*l.* 10*s.*; the London edition, published in twenty-one volumes octavo, without any plates at all, is sold at twelve guineas on small paper, and on large paper for eighteen guineas.

What is the price of Lord Clarendon's History of the Rebellion, taking with you that the book belongs to the University of Oxford, and cannot be printed by any other than the university printer?—The London price of the only edition which the Clarendon Press has printed for the market amounts to 7*l.* 17*s.* 6*d.* small, and fifteen guineas large. There is not a small edition of the work to sell, though greatly demanded. The price of an octavo edition, consisting of twelve volumes, printed on the Continent, sells abroad for thirty-six francs, or about 1*l.* 10*s.*

Have you declined publishing any works from the pressure of delivering eleven copies, besides Mr. Ruding's "History of the Coinage?"—Yes, we have.

Is there any inconvenience in stating what they are?—We have declined republishing Alexander Barclay's "Ship of Fools," a folio volume of great rarity and high price. Our probable demand would not have been more than for 100 copies at the price of twelve guineas each. The delivery of eleven copies to the public libraries decided us against entering into the speculation. There is another work which we have declined printing, materially from the pressure of the eleven copies, which is a work of great value: "it is "A Series of Views relating to the Architectural Antiquities of Normandy," by Mr. Cotman of Yarmouth; it is a work peculiarly interesting to antiquaries and to architects, but to few other classes of society; it relates to the Architectural Antiquities of Normandy.

The Committee understand that you were the undertakers of the reprint of that very important old work of English poetry, called "The Mirror for Magistrates," which was printed in three volumes quarto?—Yes, we were.

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

Mr. John Martin, called in; and examined.

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

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

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

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

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

Mr. Charles Stothard, called in; and examined.

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

The price is twenty-eight guineas the large paper, and twenty guineas the small?—Yes.

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

Do you conceive that the delivery of the eleven copies to the public libraries is a great grievance?—A very great one indeed; for I believe, that if I had known it when I commenced the work, I should not have begun it.

Samuel Lysons, Esq., called in; and examined.

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

The discovery of these Roman Antiquities has cost you many years labour and attention?—A period of twenty-five years.

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

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

Thomas Platt, Esq. called in; and examined.

Are you one of the trustees under Dr. Sibthorpe's will?—One of the executors.

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 intituled "Flora Græca," and "Prodomus Flora Græcia;" 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, and which he afterwards gives to the University of Oxford; and, these two works being completed and published, he directs the rents to be applied in the establishment of a Professorship of Rural Economy, 200*l.* of the rents to be paid annually

to the professor for his salary, and the remainder to purchase books for the professor's library.

As the estate has hitherto produced not more than 200*l.* a year, the expense of eleven copies of the work would amount to sixteen years' rent of the estate; and of course the giving eleven copies be an insurmountable difficulty. I could not, as executor, pursue it; I should throw it upon the hands of the University.

According to your experience in the publication of this work of Dr. Sibthorpe, do you not conceive that the gratuitous delivery of eleven copies would render any work of that magnitude entirely impossible to be published by any individual, with expectation of covering his expenses? Yes, I do verily believe it; a work of half that value I should consider it impossible to publish; the right of exacting eleven copies appears to me an extinguisher upon splendid and expensive works.

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.

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 in 1807, when the first part was published, consisting of a title, and eight coloured prints from ancient paintings; the second part came out above 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 fourteen, 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 eleven copies—Yes; printing any work of 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 but having 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 eleven copies by eleven privileged libraries, I conceived it would be impossible for me to comply with that demand, and I discontinued the work.

Mr. Brooke called in; and examined.

What is your line of business?—Printing and publishing.

In what peculiar line?—Peculiarly in the law line.

Have you experienced any inconvenience or injury from the provisions

of the Copyright Act?—I am very much aggrieved by the necessity of delivering eleven copies of the works which I publish, principally law works, on which it falls very hard.

In what manner do you conceive law works are particularly affected by the delivery of the eleven copies?—The temporary nature of their matter makes it necessary to confine their editions to a comparatively small number of copies, and the expenses of printing and editing are so great, that the deduction of eleven copies is a very serious evil, as attaching to every new edition.

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

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

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

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

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

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

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

What was the price of the 250 copies?—3750*l.*

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

Upon this evidence it must be quite unnecessary to offer a word of comment. The character and experience of the witnesses, the clearness of their statements, and the irresistible force of their conclusions, must carry conviction to every mind. It did so, indeed, to the members of the Committee, who drew up a Report, bearing date the 5th of June, 1818, in which they approach very nearly, in their rccommendation, to the measure that I now venture

to propose. This Committee, satisfied of the injustice of this tax, in its principle and in its details, were desirous of ascertaining its amount within a given period; and having directed a statement to be prepared by one of the witnesses, an experienced bookseller, of the retail price of one copy of every book entered at Stationers' Hall, between the 30th of July 1814, and the 1st of April 1817, they found that such prices of one copy of each book only amounted in the whole to 1419*l.* The prices of the books received by this gratuitous delivery into the University of Cambridge alone within the period named, amounted to 1145*l.*; and taking the gratuitous deliveries to the other ten libraries to be of the same value, the whole amount would be 13,095*l.*, as a tax paid by authors, or publishers, or both—not to the poor and needy, or to those who are unable to supply themselves—not to Mechanics' Institutions, or Parish Libraries, or National Schools, or Public Reading Rooms for the use of all classes—but to ten at least out of the eleven, of exclusive corporations, the greater number if not all of whom are perfectly able, though they may not be willing, to pay for their own supplies of books, as they are by law compelled to do for food and raiment, and every other necessary or luxury, which they require.

The Select Committee of 1818, therefore, reported this resolution to the House.

"Resolved—that it is the opinion of this Committee, that it is desirable that so much of the Copyright Act as requires the gratuitous delivery of every work should be repealed, except in so far as relates to the British Museum, and that it is desirable that a fixed allowance, in lieu thereof, should be granted to such of the other libraries as may be thought expedient."

This, Sir, was the Report of the Committee of 1818. Why it has never been acted upon up to this period, it is for others rather than myself to say. But as it was one of the first subjects to which I ventured to direct my attention, as soon as I had the honour of a seat in this House—and as it has been postponed from time to time, not from any wish of my own, but from the perpetual difficulties that present themselves in the way of independent members bringing forward their motions, from the pressure of Government business, and the constant interruptions and irregularities in the proceedings of the House—so I have steadily kept to my determination of pressing it forward on the first available opportunity, and I do sincerely hope, that His Majesty's Ministers, and the House in general, will accord to my motion, their ready and cheerful support.

I am bound to add, however, that consistently with my own principles, I am for the entire repeal of the delivery of the whole number of the eleven copies, because I cannot perceive, even in the proposed exception of the British Museum, why authors and publishers should be specially taxed for its support, in the exaction of their books, any more than botanists, or mineralogists, or zoologists, or painters, or sculptors, or antiquaries, or collec-

tors of any kind should be taxed, by being obliged to contribute from their stores or productions to swell the treasures of the British Museum. Whatever is requisite or desirable for that institution —to make it, as I wish it to be, the first Museum in the world— let it by all means have. But the nation is rich enough to buy the books it requires, as well as to pay for the building in which they are lodged; and as the librarians, and servants, and messengers, are not called upon to give their labour gratuitously for the public service, I can see no reason, whatever, why authors and publishers should do so. The labourer is worthy of his hire in each case, and we have no more right to demand that the author shall give the productions of his mind without reward, than we have to command the sentry to guard the treasures that are within the edifice, at whose gates he is posted, without pay. At the same time, I am free to say, that as in the last petition of the Booksellers themselves, which was presented to the House of Commons on the 22nd of March, 1819, while they prayed to be relieved from the gratuitous delivery of Ten of the Eleven copies of every published work, now demanded of them by law, they were willing to continue the grant of one copy of each work to the British Museum; if any honourable member who may be associated with me in bringing in the Bill shall introduce a clause of exception in favour of that National Institution, and it should be the general feeling of the House that it should be still so supplied,—I shall not oppose that single concession. In the same spirit of conciliation, I will also add, that if the Ten Libraries to whom this privilege is to be no longer continued, shall be thought entitled to an annual grant, for the encouragement of learning, from the Consolidated Fund, to be applied to the purchase of such Books as may be required, which sum must then come from the funds of the people at large, and not be exclusively drawn, as at present, from authors and publishers of books only, I shall be prepared to give such a proposition my assent and support. But I do trust that no consideration of vested interests will prevent the House from at least allowing me to introduce this measure, on the understanding that it shall be submitted to a full and fair discussion in all its bearings on the second reading. In this hope, Sir, I therefore beg leave to move "That leave be given to bring in a Bill to repeal so much of the Copyright Act, as enjoins the gratuitous delivery of eleven copies of every published work, to eleven of the public libraries, colleges, and other institutions of the kingdom."

After a short discussion, in which Dr. Bowring, Mr. Trevor, Mr. Goulbourn, Mr. Wynn, Sir Robert Inglis, Dr. Lefroy, Mr. Baines, Colonel Sibthorpe, and the Chancellor of the Exchequer took part,—and in which the necessity of a change was admitted on all sides,—leave was given to bring in the Bill, and Mr. Buckingham, Colonel Thompson, and Mr. Ewart were appointed to prepare the same.