

Publishers and the public : reprinted from The Times of 1852.

Contributors

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Royal College of Surgeons of England

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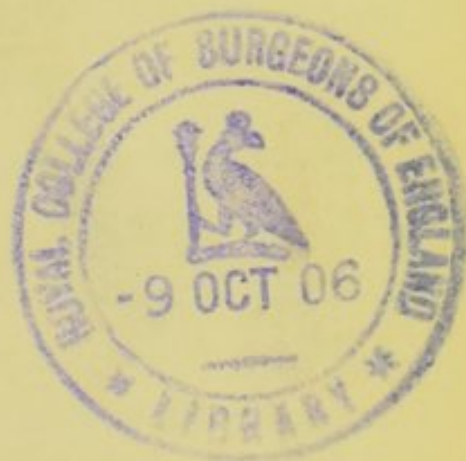
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PUBLISHERS

AND THE

PUBLIC.

Reprinted from The Times
of 1852.



PRINTED AND PUBLISHED BY GEORGE EDWARD WRIGHT, AT THE TIMES
OFFICE, PRINTING-HOUSE-SQUARE, LONDON, E.C.

—
1906.



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NOTE.

Fifty-four years ago the publishers attempted, by restrictions on trade, to maintain the high prices then charged for books, and to create for their own profit a firm and permanent monopoly, to be maintained at the expense of the public.

To-day the publishers are making a similar attempt, by imposing even harsher restrictions. They are trying to control not only the price of new books, but the price of second-hand books, to dictate not only the prices at which books shall be sold but the time at which they shall be sold. On the last page of this pamphlet we reprint the arrogant decree which the associated publishers have now issued.

Fifty-four years ago they tried to do no more than to limit the production of books by preventing their sale at such prices as naturally resulted from healthy competition. Their policy was no more high-handed than would be that of a ring of traders who try to force up the price of corn by storing it instead of selling it. To-day their decree in regard to second-hand books resembles rather the action of traders who burn the stored corn in order to keep up prices. A decree that libraries must burn their second-hand books would be hardly more tyrannical than this decree that the public

may not buy second-hand books when they want them unless they pay for them the full retail price of new copies.

The reproductions from *The Times* of 1852 which will be found in this pamphlet show that the publishers failed to enforce their monopoly fifty-four years ago. As these articles show, the publishers were then defeated by the public, as they will now be defeated by the public. *The Times*, however, is now in a position to defend the public, not only by giving voice to public opinion, as it did in 1852, but by proving in practice what it was then only able to preach. In establishing *The Times Book Club*, *The Times* itself founded and will firmly maintain an organization for the circulation, without charge, of books among its subscribers, and for the sale of books at fair prices. In 1852 *The Times* could do no more than say that it was desirable that books should be sold as freely as were other commodities. To-day *The Times* can point to its *Book Club* to prove that there is at any rate one place in England at which the public can buy books without yielding to the exorbitant demands of the publishers.

The reader's attention is especially directed to pages 33 and 49 for the opinions of the late Mr. Gladstone and the Lord Chief Justice Campbell.

The Bookselling Trade.

(From *The Times* of March 30, 1852.)

A controversy, in which the public interests are very closely concerned, has just now, after some years' duration, assumed a critical appearance. One of the most quiet and respectable of our national trades is seriously disturbed by commotions within its own body, and it is by no means clear to what result these differences may ultimately tend. The booksellers of the kingdom are at strife among themselves; they are united in combinations and disunited by secessions, while oppression and hardship are respectively practised and endured by those who can exert power and those who are compelled to respect it. To make these proceedings intelligible to the general reader will require a little preliminary exposition.

The bookselling trade has a character peculiarly its own. It is composed of two classes, which may be termed those of manufacturers and retailers. The manufacturers are the publishers—that is to say, those tradesmen whose business consists in printing and producing the compositions of authors in the form of books. These books are subsequently distributed to the public through the agency of retailers, or booksellers proper, who obtain them from the publishers and sell them to their customers at a profit. A book is a commodity which, for very obvious reasons, always comes into the market with a fixed and definite price, and unless, therefore, the bookseller could secure an advance upon this price in his own sales, which is a very improbable supposition, it is plain that he must either go without profit or get some reduction of the original price in his particular favour. The latter system is that in use. A book has *two* prices—the publication price and the trade price; the former being that at which the public are expected to purchase it, and the latter that at which the retail salesman is permitted to procure it; his own profits, of course, being made out of the difference between the two. It is upon the disposal of this difference that the controversy in question has arisen.

Nominally, the trade price is constituted by a deduction of one-fourth, or 25 per cent., from the publication price, but practically even this considerable difference is so increased by customary allowances of reckoning that the actual deduction amounts to not less than one-third. In other words, if a book is published at the price of 15s. a copy to the general purchaser, a bookseller can procure it for the purposes of retail trade at the price of 10s., so that there remains 5s. to cover his expenses and return him a profit on the transaction. Now, it would naturally be concluded that the publishers having disposed of their commodities to the retail dealers at a price regulated by known considerations, would have no further concern in the matter. It must be understood that this trade price represents the *bona fide* cost of the whole book. It includes the expenses of printing, binding, and so forth, together with the remuneration of the writer, and when this price has been paid by the retail dealer to the publishing house both publisher and writer ought to have received their fair dues as assessed by themselves. The publishers, however, refuse to terminate their interest in a book with its sale to the retail dealer. They follow the retail dealer into his own shop, and insist on dictating the disposal of the profits they leave him. It is obvious that if a retailer has procured a book for 10s. which is presumptively saleable at 15s., he has a very considerable margin to operate upon. He may either demand the full value of 15s. and pocket his 30 per cent. gain, or he may reduce the gain upon each book with a view of obtaining either a larger sale or quicker returns. He may sell his book for 11s., 12s., 13s., or any sum, in short, between 10s. and 15s., according to the temper of his customers or the accidental character of his business. Nothing could seem more natural or proper than that these arrangements should be left, as in all other trades, to the judgment of the retailers themselves. But here the publishers step in and say, "You shall not enjoy any such freedom. You shall not dispense with any portion of your personal profits except to such an extent as we prescribe. To attract a cash customer, you may take off 1s. 6d. from your 15s., but no more. The rest you must put in your own pocket, or you shall get no more publications of ours."

Such is the language held by the publishers, and their conditions are enforced by an organized system of coercion. An association has been constituted to which all booksellers within 12 miles of the General Post-office are invited to belong. The members of this body sign a declaration to the effect that they will not sell books to any general customer, even for cash payment, at a greater discount than 10 per cent., or, in other words, at a less profit than 23 per cent. to themselves. In return for this pledge of fraternity they receive a ticket, and to none but the holders of this ticket will the publishers supply any books except at the full

publication price ; so that any refractory retailer can be absolutely deprived at a single blow of all such portion of his business as consisted in the sale of new books. Any bookseller willing to content himself with smaller profits than these dictatorially assigned to him is described as an "underseller," and is forthwith deprived of his trade ticket by the Executive Council of the Association, and placarded throughout London as a man with whom, under pain of similar penalties, all trade dealings are interdicted. Against this imperious proscription many booksellers have rebelled, and have applied, in their straits, to the authors themselves for the works which the publishers refused to supply, till at length the system has been found insupportable, and an appeal is made to the public.

It will, no doubt, be alleged by the advocates of the existing practice that it commands the assent of the vast majority of the trade, as testified by the subscription to the rules. This, however, can be no valid evidence, for, in the face of such absolute powers as we have described, it is plain that the number of those venturing to dissent would be exceedingly few. Conditions may be obviously dictated to booksellers without much resistance by those who can debar them from obtaining any books to sell. We have attentively perused a circular, bearing date last month, in which the regulations of the Amalgamated Publishers are directly defended, but we cannot discover any valid reason for this anomalous interference with the free course of competition and the natural operations of trade. On the other hand, as the great publishing houses are generally retailers themselves, and as they thus take profit in a double capacity, they would seem to have an obvious interest in exerting their powers as publishers to enhance their remuneration as booksellers. We hardly see how the difference between the actual cost of a book's production and its price to the general purchaser can represent anything but the cost of the agency by which the books are distributed ; and if this agency can be performed, as is plain, upon terms more reasonable than those assumed, it is difficult to imagine why the public should be excluded from the benefit of the condition. If the author and publisher of a book are both remunerated by a price of 10s. a copy, and agents can be found in abundance to undertake its distribution for 2s. more, why should these agents be compelled to demand and the public to pay a sum of 13s. 6d. instead of 12s. ? These considerations, on appeal to us duly made, we have felt bound to submit to the verdict of opinion. If anything can be said for the system which is not apparent on its surface, the readers of *The Times* will doubtless hear of it ; but in the meantime we must express our belief that the remonstrant booksellers have shown a very good case.

(From *The Times* of March 31, 1852.)

TO THE EDITOR OF THE TIMES.

Sir,—Observing an article in your paper of this day on the subject of the bookselling business, we beg to inform you that the question which you discuss has been for some time under the consideration of Lord Campbell and several other eminent literary men, and we wait to be informed of their conclusions. In candour to yourself your informant should have acquainted you with this fact, before precipitating a discussion which must shortly be settled by the judgment of those to whom the question has been referred.

Permit us to add the following facts :—

The association is not a publishers' association, but an association of the book trade generally, and originated with the retail booksellers. As publishers we are no further interested in it than so far as it has been supposed to promote the solvency of the trade and the prosperity of literary speculations. The sale of books by retail is so insignificant a part of a publisher's business that in supporting the association he cannot be actuated by a desire to obtain the double profit to which you allude.

We are, Sir, your obedient servants,

LONGMAN, BROWN, & CO.

JOHN MURRAY.

March 30.

(From *The Times* of April 1, 1852.)

TO THE EDITOR OF THE TIMES.

Sir,—In reference to the assertions made by Messrs. Longman and Co. and Mr. Murray, in their letter published in this day's *Times*, permit me to remark that I believe your informant (whoever he may be) was not wanting "in candour to yourself" in not stating "that the question which you discuss has been for some time under the consideration of Lord Campbell, and several other literary men," whose "conclusions" your correspondents describe themselves as waiting to be informed of.

From letters which I have seen I am fully justified in believing that Lord Campbell is in favour of free trade in books, and in affirming such to be the case with respect to Mr. Hallam and Mr. Carlyle. I know from reliable authority that Mr. Macaulay strongly disapproves the booksellers' combination, and I find in an article on the Commerce of Literature, in the April number of the *Westminster Review*, just issued, the following unmistakable evidence of Mr. Gladstone's opinions on the same subject :—

"Six months ago Mr. Gladstone designated the association of monopolists as 'a combination alike in principle unjust, and in practice injurious, both to the public and those engaged in trade.' He generously added, 'I would advise exhausting all the means of friendly persuasion before placing them in a position before the world which, whatever view they may now take, they would soon, I think, find to be damaging and disagreeable.' The reader will infer from the following extract (from a

letter addressed to us a short time since) what answer the literary protectionists received when they presented him with the circular above referred to:—"I have made it known to more than one prominent publisher of my acquaintance, in writing very recently, that only feelings of personal regard have restrained me, up to this time, from taking more public steps in the matter." Mr. Gladstone has furnished a practical comment on his own words by supplying certain non-conforming booksellers with his pamphlets on Italy, which his publisher, being a member of the combination, could not sell to those persons."

I have good reasons for believing, Sir, that your correspondents would have stated the case more correctly had they said, "We have used our utmost efforts to maintain the protective principles of the Booksellers' Association notwithstanding the expressed convictions of several eminent authors, but if, in addition to our finding ourselves opposed to public opinion, their remonstrances should assume a threatening form, we must yield to 'the judgment of those' whom it is our interest to conciliate."

It seems to me, Sir, that your correspondents are desirous of withdrawing from the responsible position they have assumed by ascribing the origin of the association to the retail booksellers. A glance at the list of the members of the committee of the association, as given in the number of the *Westminster Review* above referred to, will suffice to convince you that it consists, with, probably, two exceptions, only of publishers, and the wholesale book-merchants of Paternoster-row, who are interested in the maintenance of monopoly. Moreover, I can speak from my own knowledge that, though Mr. Murray does not encourage a retail business, there are many publishers who do—Messrs. Longman and Co., J. H. Parker, Mr. Seeley, and Mr. Hatchard, for instance—and who are, therefore, "actuated by a desire to obtain the double profit to which you allude."

Let me add, in conclusion, that if, as is alleged, the association was formed for the benefit of the retail booksellers, it seems scarcely fair that the chairman, Mr. William Longman, and his publishing colleagues of the committee should, in deference to authors, desert the post of protecting them so soon as any hostile demonstrations are made.

I am, Sir, your obedient servant,

March 31.

RICHARD BENTLEY.

(From *The Times* of April 2, 1852.)

TO THE EDITOR OF THE TIMES.

Sir,—Having been specially named by Mr. Bentley in his letter printed in *The Times* this day, I am called upon, without any hostility to him, to contradict his surmise that the publishers, following his example, are desirous of withdrawing from the association of the bookselling trade. If I were conscious of wrong or injustice in that association, or if I had attached myself to it for selfish ends, I might be anxious to sneak away from it. But it is not so. I feel convinced that it is a salutary, nay, an essential compact—formed among the members of the trade to save the retail portion of it from ruin—such as has befallen other trades, which

have now protected themselves by similar mutual associations. On these and other grounds I am confident that the learned Lord and other eminent authors who have been invited to consider the question will not, whenever the case in all its bearings is laid before them, decide against the association merely because certain interested and ill-informed persons are raising an outcry against it; indeed, already more than one of those gentlemen have consented to be passive, in consequence of representations of facts made to them.

It has been attempted to establish an analogy between free trade and this bookselling question. Suppose we admit it, let me ask why this free trade competition is to be confined to the retail booksellers? Are they not as much entitled to their small gains as Mr. Bentley or I, as publishers, or as the authors of the books, whose active agents the retailers are, to our larger profits? But the author and the publisher are unassailable; the free trade competition cannot reach them, because they fix unalterably their own price. The author and publisher are by this rule Protectionists in the fullest sense of the word.

The allowance of 25 per cent. has been granted by the established custom of, at least, 100 years. Experience has shown that it is not too large to enable the retailer to display the authors' and publishers' wares in expensive shops, to grant long credit, to pay carriage, to keep clerks and porters, and, above all, to speculate in the purchase of new books, with the risk of having them left on his shelves unsold. The retail booksellers now feel that the allowance is not more than enough, and it is for that reason, and no other, that 1,200 booksellers in London and Westminster alone have agreed to use their best endeavours to prevent their small gains being scattered to the winds by the undermining operations of a few undersellers. If Mr. Bentley can prove that 25 per cent. is an extravagant remuneration, he will do me and other publishers essential service by enabling us to substitute a smaller allowance, and to keep the difference to ourselves, thus cutting the knot of the controversy.

But, indeed, this is not the case. My principle is "to live and let live," so that on some books I give even a larger allowance than that above named. In no business are middlemen and retailers more needed than in the commerce of literature. That they are not overpaid is notorious; and I cannot bring myself to consent to the grinding down to the dust a set of men to whose exertions I, in common with all authors and publishers, owe a great deal.

It is no valid argument that the undersellers are willing to sell books at 15, or even 10 per cent. profit. They are solitary upstarts, who by this means endeavour to filch away the customers from old established houses, and thus to carve out for themselves a short road to opulence.

If the whole trade become undersellers, I can foresee as the result the destruction of some hundred existing houses, and the substitution of eight or ten monster monopolists, and a very serious discouragement to literature in general.

I am, Sir, your obedient servant,

Albemarle-street, April 1.

JOHN MURRAY.

(From *The Times* of April 3, 1852.)

TO THE EDITOR OF THE TIMES.

Sir,—In *The Times* of this morning Mr. Bentley has charged me by name with being “actuated by a desire to obtain a double profit,” in endeavouring to defend the bookselling system of England against a change which I am sure would be injurious to all the parties concerned. I beg leave to deny the charge.

I was called upon by the retailers to join their association, and had no hand in forming it. Mr. Bentley, having no retail shop, seems not to be aware of the fact that it is almost impossible for any publisher to sell by retail on the average the twentieth part of an edition of any book. To sell a large number of a book a large number of shops must be employed, and in proportion as the number of booksellers' shops is diminished, the number of copies sold of any book will fall off. The principle of the undersellers is to make one shop do the work of ten. Experience shows that in the long run this is not practicable, and when Mr. Bentley has only the undersellers to deal with, he will discover his mistake.

Your obedient servant,

Oxford, April 1.

J. W. PARKER.

(From *The Times* of April 5, 1852.)

TO THE EDITOR OF THE TIMES.

Sir,—Somewhat more than a year since I published a work of which the advertised price is 12s. I have now before me an account up to Christmas last, wherein I find myself credited with the copies sold at the rate of 8s. 6d. each. The trade custom of giving 25 for the price of 24 reduces this to somewhat less than 8s. 2d. Further, my publisher deducts 10 per cent. commission for all sales he makes in my behalf; so that ultimately the net sum per copy payable to me becomes 7s. 4d. Out of this 7s. 4d. per copy I have to pay for the composition, printing, paper, and binding; for the advertising, which threatens to reach £50; and for the 30 odd copies sent to the national libraries, newspapers, and reviews. The result is that, though of its kind the book has been a very successful one, my account up to Christmas last shows a balance of £80 against me. Possibly in 18 months hence the work will have paid its expenses, and I am even not without hope that it will leave me some £10 in pocket as a reward for my two years' toil. Should it do so, however, I shall be unusually fortunate; for my publisher tells me that the great majority of works having, like mine, a philosophical character, entail loss.

Now, with all their skill in mystification, the Booksellers' Association will find it difficult to show that out of a selling price of 12s. the proportion set aside to pay for printing, paper, binding, advertising, gratuitous copies, and author, should be 7s. 4d., while 4s. 8d. may reasonably be charged for conveyance to the reader. In these days of cheap carriage 60 per cent. for cost of production, and 40 per cent. for portage, is a somewhat anomalous division.

Mr. Murray says it is in great measure an authors' question. He is right, and authors will prove much less intelligent than I take them to be if they do not see how immensely their own interests, as well as those of the public, would be served by a diminution of these exorbitant trade profits. Let any one refer to *Porter's Progress of the Nation*, and there note the many cases in which a small reduction of price has been followed by a great increase of consumption, and he cannot avoid the inference that a 20 per cent. decrease in the vendor's charge for a book would cause a much more than proportionate increase in its sale ; and as this decrease would be in the cost of agency, and not in the authors' price, the extra sale would be so much clear profit to him. Books that now entail loss would pay their expenses, and books that now only pay their expenses would bring something like a reasonable remuneration.

Should the publishers and booksellers persist in their restrictive policy, which is injurious, not only to authors and the public, but, I believe, in the long run, even to themselves, I think that as a matter of business authors will be justified in declining to publish with any who belong to the combination.

I am, &c.,

AN AUTHOR.

(From *The Times* of April 9, 1852.)

TO THE EDITOR OF THE TIMES.

Sir,—The controversy respecting the bookselling trade, which has recently been brought before the public, may be simply disposed under three heads :—

I. The necessity of a fixed and uniform retail price.

1. The interests of authors and publishers require that there should be a number of persons engaged in the retail trade, through whom their publications may be brought under the notice of the public.

2. For this purpose it is necessary that there should be a fixed retail price, as every copy of a book being a fac-simile of every other copy of the same edition, the business would otherwise be monopolized by those who were willing to sell at the lowest rate of profit.

3. It is, therefore, necessary, in order to maintain a respectable class of retail booksellers, that the price of books should be maintained as uniform as possible, and that any discount allowed to the purchaser should also be on one uniform system.

II. Is the present rate of allowance to retail booksellers excessive or not ?

A reduction of the rate of profit on any branch of business has a tendency to reduce the number of persons engaged in it ; consequently authors and publishers being concerned in supporting the retail booksellers, are equally concerned in maintaining a fair rate of profit on that branch of the business ; this is a point, however, in which the public are not in any way concerned, and in which the interests of authors and publishers are identical. It may, therefore, safely be left to the arrangement of the parties directly interested.

III. Would any advantage be derived, either by authors, publishers, retail booksellers, or the public, by any alteration in the rate of discount allowed on books?

1. If the practice in the trade be uniform, no change would be of any advantage to the public, as whether 5 per cent. or 50, it would be a matter of calculation beforehand by publishers, who would fix their prices accordingly.

2. If the practice is uniform, no advantage would be derived by the retail bookseller from any change, for it is evident that the only object which undersellers have in view is to draw into their own hands the business which would otherwise be dispersed among many different parties.

3. Nor would any benefit be gained by authors and publishers, as if it is their interest to support the retail bookseller, and therefore to maintain the present rate of profit in that branch of the business, it follows that any increased discount to the public must either be deducted from their own profits, or must be provided for by an addition to the nominal price of books.

The whole question, then, resolves itself into this—Is it desirable that there should be any retail booksellers or not? I believe it is tolerably evident that the existence of that class is beneficial to authors and publishers, and convenient for the public. Nor need the reading public fear that they will be taxed for their maintenance, as books being an article of luxury, it will always be the interest of publishers to reduce the price of their works to the point which will yield them the largest profit. The manner in which the difference between the retail price and the cost of production is distributed amongst the various branches of the trade is therefore a question in which the public are in no way interested.

I am, Sir, your obedient servant,

April 8.

A PUBLISHER.

(From *The Times* of April 14, 1852.)

TO THE EDITOR OF THE TIMES.

Sir,—As our firm has been for many years one of the most constant opponents of the Booksellers' Association, and as we have suffered more than any other house from the operation of that combination, perhaps you will permit us the use of your valuable journal in making known our case to the public.

In our opinion there is nothing, either in the manufacture or the sale of a book, which takes it out of the category of articles to which free trade is universally allowed to apply. We cannot, therefore, view in any other light than as arbitrary and oppressive the rules of the Booksellers' Association to fix prices, for we hold that after a book has left the hands of the publisher, the retailer should be allowed to charge what he can get for his trouble in putting it into the hands of the reader.

As the question of the price at which this office can be performed seems to be the point at which the controversy now stands, we wish to address ourselves particularly to it. It has been shown very clearly that

under the present trade regulations the allowance to the bookseller does not altogether amount to less than 33 per cent., an allowance which, it is asserted, is not too much to meet the charges of expensive shops, of long credits, and of speculations in expensive new books. We could fairly answer, in reply to these assertions, that surely the retailer is the best judge of what he can afford to trade at, and that no person has any concern in the matter, much less a right to dictate to him the terms on which he shall pursue his business. But we will waive this answer, preferring to meet and combat our opponents' positions point by point. In the first place, we deny that, with the exception of booksellers keeping circulating libraries, there is any necessity for expensive establishments; high-rented shops consequent on public situations they are obliged to have in common with other tradesmen, but there is nothing in the nature of bookselling to make its expenses otherwise heavy. Secondly, we assert, without fear of contradiction, that in the overwhelming majority of cases book-retailers do not speculate in expensive new works. As a general rule, they execute their orders direct from the "Row," acting, in short, as mere book agents. Thirdly, we answer to the question of long credits—Do not give them. Deal for cash where it is possible, and, where it is not, shorten credit. "Small profits and quick returns" is the motto unconsecrated by the "custom of the trade for the last hundred years," doubtless, but still the motto of modern commerce, and the one most conducive to the interest of the bookseller and the book-buyer. Let us give an instance in point:—*Macaulay's History of England*, published at £1 12s., and which cost the trade in quantities £1 2s., is sold by the "respectable bookdealer" at £1 9s., being 10 per cent. off the published price, and by the "underseller" (ourselves) at £1 6s. Thus, our competitor makes a profit of 7s., and we of 4s., with which we are very well contented, for, in consequence of our moderation, we have probably sold four copies of this work in the same time, and with the same establishment, as an average "respectable bookseller" has done. Our profit will then really stand as 16s. against his 7s., and the purchasers will have gained 3s. on each transaction with us. Surely, the public cannot be much longer blinded as to the party in the trade with which his interest lies, and surely the publisher must also perceive, if he calmly reviews the question, that this is the system most calculated to promote that solvency in trade which it is wrongly asserted the undersellers threaten with ruin.

The interest of the consumer as well as that of the active dealer we have already shown to be consulted in a reduction of the present exorbitant percentage, which was forced upon the bookseller by the association; and the interest of the author or producer is as clearly identical with theirs. If 15 per cent. out of the 33 is sufficient to satisfy the bookseller, the additional 18 per cent. would go to cheapen the article to the public; and, as it is well known that even a small reduction in price greatly adds to the consumption of articles in daily use, it follows that the author would profit pecuniarily and in fame by the increased sale of his works. From what we have already shown, then, it appears that the only difference between the "underseller" and the

“respectable bookseller” is, that the former is content to get a small profit on a book, which he turns often, while the latter (in many cases against his will, and in obedience to the behests of the association) allows it to sleep upon his shelves, and then is forced to ask the public to pay him for his inactivity.

Education, spreading as it does every day in widening rings, is rapidly opening up a much wider market for moderately-priced literature than we have hitherto enjoyed; the tactics of the trade should therefore be in accordance with this extension. It seems, on the contrary, bent upon working in an opposite direction. In the long run the attempt must fail; but in the meantime, the regulations starve the author, chloroform the bookseller, and mulct the public.

The prohibition against “ticketing,” contained in the regulations, seems to us peculiarly unjust; for, what is the advantage of booksellers paying high rents for public situations if they are not allowed to make the utmost legitimate use of this publicity? Ticketing might be “mean,” as it is called by our opponents, but we are sure it is honest. The objections urged against this system, when used by other trades, is not applicable to booksellers. We can neither substitute an inferior article for the one marked in the window, adulterate it, nor give short weight. When a purchaser buys a marked book he is certain that it is as good an article of the kind as he can get for money.

It might be said by those of the combination, that we speak only to gain our private ends; but, surely, in wishing that the trade should be free from barbarous trammels, we are asking nothing for ourselves that we do not wish our fellows to take advantage of. Hundreds of them would only be too glad to do so if they could afford to act independently; and those who can protest with us by either withdrawing from the association or by refusing to join it. Among them will be found the names of Charles Knight, Moxon, Bentley, Orr, Chapman, and Black, of Edinburgh; while the authors’ view of the question might be gathered from the support given to free trade in books by Gladstone, Macaulay, Carlyle, and M’Culloch.

In conclusion, we might, perhaps, be allowed to state that we see no reason why we should alter the course we have pursued for so many years, and that we do not intend to do so, whatever may be the result of the conference which we hear is about to take place, feeling convinced that the only sound policy to be pursued, and that which must in the end succeed, is the simple one of letting trade alone.

We remain, Sir, your obedient servants,

1, Leicester-square.

BICKERS AND BUSH.

(From *The Times* of April 14, 1852.)

TO THE EDITOR OF THE TIMES.

Sir,—It requires some effort to entertain serious thought regarding the principles attempted to be carried out by the Booksellers’ Association. Doubtless those who originated the society were actuated by the purest and most disinterested motives; but they have apparently forgotten one

important fact which materially affects all organizations, namely, that they live in the year 1852. It might have been all very well to have started such an association a century ago, when it was illegal to manufacture a blanket out of York; but to make an attempt to do so now is surely indicative of temerity and inconsistency.

The association can only succeed in two ways;—first, by diminishing the circulation of books; and, second, by stimulating deception. Should the booksellers of any town agree upon a uniform charge, and refuse to allow any person more than 10 per cent., it is easy to predict what would be the result. Purchasers of books would either diminish their outlays, or transfer their custom to some tradesmen who might manage to make up the difference to him in an indirect manner. The conscientious tradesman, abiding by the terms he agreed to observe, would lose his customers, while the less scrupulous dealer would increase his gains and multiply his customers at the expense of the upright trader.

But the successful operation of the association would have the effect of diminishing the circulation of all works of merit. I have sold some 20 or 30 copies of the popular edition of Mr. Layard's discoveries at Nineveh, published by Mr. Murray. The book is issued at 5s., but was sold by me at 4s. 6d. Now, I can call to mind about two-thirds of the purchasers of this work from myself, and I assert unhesitatingly, that scarcely one half of this number of copies would have been disposed of by me if I had adhered to the publisher's price. Does not the result clearly show, then, that it was my interest as a retailer to sell the book at 4s. 6d., and that by so doing the author and publisher were alike benefited?

This attempt to fetter the dealings of the retailer is as contrary to sound principles of freedom in trade as its establishment would prove injurious to morality and good faith. It would circumscribe the market of the publisher and the remuneration of the author.

If publishers desire to serve the retailer and consult his interests, let them endeavour to put down that system of indiscriminate credit which enables mere adventurers, without capital or claims to respectability, to obtain books for the purpose of converting them into cash at any price in the auction-mart, regardless of the interests of the tradesman. They will then confer substantial benefit upon the retailer, and lay him under lasting obligation.

Yours respectfully,

A COUNTRY BOOKSELLER.

(From *The Times* of April 15, 1852.)

Yesterday a body of gentlemen representing the Booksellers' Associations of London and the provinces waited upon Lord Campbell, at Stratheden-house, Kensington, to confer with his Lordship and other gentlemen of literary distinction on the present position of the bookselling trade. The deputation consisted of Mr. W. Longman (the chairman of the Booksellers' Association), Mr. Murray, Mr. R. B. Seeley, Mr. J. H. Parker (Oxford), Mr. Pickering, Mr. Deighton (Liverpool), Mr. Simms (Manchester), Mr. Douglas (Edinburgh), Mr. J. J. Miles,

Mr. H. G. Bohn, Mr. Dalton, Mr. Taylor, Mr. Beilby (Birmingham), Mr. Rivington, and Mr. Sampson Low (secretary to the London Association). The noble and learned lord, who was accompanied by the Dean of St. Paul's (the Very Rev. Dr. Milman) and Mr. George Grote, received the deputation with great courtesy.

LORD CAMPBELL observed, that he had been called upon to render his assistance in settling the important question which had arisen in the bookselling trade, and he certainly should be very glad if, associated with such gentlemen as Dr. Milman, Mr. Grote, and others who might afterwards assist them, he could be of any service in arranging a matter of great importance to the booksellers of this country. The circumstances under which they had met would be best explained by the following letter, which he had received from Mr. Low, the secretary to the Booksellers' Association :—

“ 169, Fleet-street, April 8, 1852.

“ My Lord,—I am directed to inform your Lordship that the committee of the Booksellers' Association have this day met, and, impressed with the importance of giving serious consideration to the present position of the bookselling trade, they have instructed me to request your Lordship to permit a few of their body to have the honour of conferring with your Lordship and such other literary gentlemen as it may be agreeable to your Lordship should be present on the occasion.

“ I beg to acquaint your Lordship that Mr. William Longman, who took the chair, informed the meeting that, having consulted Mr. Macaulay, he was encouraged to hope that your Lordship would not object to such a conference as the committee have the honour to request, and that Mr. Longman added, that Mr. Macaulay suggested it might be desirable that Lord Granville and Mr. Grote should be associated with your Lordship. To this view the meeting gave their cordial assent.

“ I am further directed to submit to your Lordship's consideration the addition of Sir Bulwer Lytton, Sir W. Page Wood, and the Dean of St. Paul's, or the Rev. Canon Wordsworth.

“ The committee would esteem it a favour if your Lordship would inform me whether this proposal meets your approbation, and, if so, whether your Lordship would wish me to take any steps to convene the meeting.

“ I have also to inform your Lordship that the following resolution was proposed by the chairman, and was unanimously agreed to, viz. :—‘ That a conference be invited between Lord Campbell, in conjunction with a few of our principal authors, and certain members of the bookselling trade, for the purpose of deciding whether the Booksellers' Association shall be carried on under its present regulations or not, it being understood that the decision of Lord Campbell and the other literary gentlemen shall be binding on the committee, who agree, if the decision be adverse, to convene the trade and resign their functions.’ ”

He at once acceded to the suggestion, and he would have been most happy had the other gentlemen mentioned in Mr. Low's note been present to-day, but unfortunately Lord Granville was prevented from attending by ill-health, and neither Sir L. Bulwer Lytton nor Sir P. Wood

was able to meet them. Having considered it only right that on a question of this nature both sides should be heard, he had requested that Messrs. Bickers and Bush, Mr. Bentley, and other gentlemen who took an opposite view to the Booksellers' Association should have notice of this meeting, and be requested to attend. He had received, in reply to that invitation, a letter from Mr. Chapman, complaining that longer notice of the meeting had not been given him. He (Lord Campbell) regretted that there should be any ground for such a complaint, but he did not know that, under the circumstances, longer notice could well have been given. He had also received a letter from Messrs. Bickers and Bush in reply to the invitation addressed to them, stating that they felt that upon this question compromise was impossible; that the inevitable tendency of the age was to open an unlimited free trade; and that they felt assured no other arrangement would or could be final. They added that a letter from them appeared in *The Times* of that (Wednesday) morning, explaining their view of the case. He (Lord Campbell) could only say, for himself and the gentlemen by whom he was assisted, that they had not formed any opinion upon the question at issue, but that they desired that the most ample opportunities should be afforded to all parties who took an interest in it to lay before them any statements, or to adduce any evidence, bearing on the matter.

Dr. MILMAN and Mr. GROTE expressed their concurrence in the observations of the noble Lord.

Mr. LONGMAN then proceeded at considerable length to explain the objects of the Booksellers' Association, and the questions in dispute between that association and a portion of the bookselling trade, termed "undersellers." The managers and members of the association were, he said, most anxious to afford to the gentlemen who had consented to act as arbitrators or judges in this matter the fullest information, and the most ample means of arriving at a just conclusion. He was deeply sensible of the heavy responsibility which he incurred in undertaking to open this question, but he was fortunately supported by a large body of gentlemen connected with all branches of the trade, not only in London, but in Scotland, in Manchester, in Birmingham, and in other provincial towns, who would be able to afford information on any points with which they were more familiar than himself. He had firmly made up his mind that he would not notice any letters, or statements, or articles which had appeared in print; otherwise, he must say, he would have felt inclined to give an indignant denial to a great deal that had been published. The principal object of the Booksellers' Association was to prevent those who received the privileges of the trade on certain implied conditions from enjoying those privileges without fulfilling the conditions. The main privilege was that of receiving a certain discount from the retail price, and the condition on which the privilege was granted was that the retail price should be observed. The retail bookseller, on buying from the publisher, received a certain agreed allowance, on the supposition that he was to obtain a certain profit. Occasionally the retail price of a book was reduced, but the practice of the trade in such a case was to go round and "call in" the books from those retailers who had bought them, and

afterwards to supply to the retailers either the new editions or the same books at a reduced price, so that a fresh contract was made between the publisher and the retail bookseller. He believed that the trade was conducted on these principles up to 1812. The case of Mr. Lackington had been mentioned as that of the first underseller. Now, it was extremely difficult to ascertain precisely upon what principles trade was conducted some 70 or 80 years ago, but he (Mr. Longman) was convinced, from Mr. Lackington's *Life*, that his system of underselling was totally different from that of the present day. Mr. Lackington's system was one which was extensively practised at this time, and which met with the approbation of the publishers. Mr. Lackington was the Bohn of former days, and Mr. Bohn was the Lackington of the present day. Mr. Lackington bought "remainders," the copies of unsuccessful books which remained on the publishers' hands, and sold them at a reduced price. Who were the first undersellers he did not know, but the first booksellers' association of which he could find any notice was set on foot by the retail booksellers in 1812. It was important, in passing, to observe that these associations had all been established by the retail booksellers, and the publishers and wholesale booksellers had considered it their interest to support such associations. About 1828 the association was remodelled, and it was just previously to that time that the present system of underselling arose. It was his firm conviction that the interests of publishers and authors in this question were entirely identical, and that what was for their interest was also for the interest of literature in general. He thought the fact that the present system was for the benefit of the booksellers was shown by the enormously preponderating majority of booksellers who were in favour of the regulations. The present Booksellers' Association, which was established at a public meeting of the trade in 1848, was a revivification of the association of 1828, and many similar associations had since been formed throughout the country. He considered that the peculiarities of the bookselling trade, which differed from all others, afforded the main ground for supporting such associations. He did not think that free trade principles were at all applicable to the bookselling trade. The only class of articles the character of which, in his opinion, approached that of those in which booksellers dealt was patented articles. The bookselling trade was the only one in which there was a possibility of fixing a retail price, and in which there was complete identification of the article. It was advisable to buy many articles,—as, for instance, silk goods and hats,—from tradesmen in whom they had confidence, because persons who were not judges of such articles might easily be deceived as to their quality. There was, however, no doubt as to the identity of a book. If a purchaser wanted Lord Campbell's *Lives of the Chief Justices*, he could not be put off with the late Mr. Townsend's *Lives of the Judges*. If Mr. Grote's *History of Greece* was asked for, Bishop Thirlwall's could not be substituted. This gave the power of fixing a retail price, and, as those who dealt in such articles must have a profit, it was necessary that a certain agreed allowance or discount should be given to the trade. It had been suggested that books should be published without a retail price, but he

thought that would be throwing away one of the great and peculiar advantages of the trade, and, instead of removing the existing evils, would aggravate them materially. Books would then be sold at one price in one street, and at another price in another ; the public would have no confidence that the right value was put upon them anywhere ; and the whole trade would be thrown into confusion. Another peculiarity of the trade was that the allowance which was made to booksellers became known to the public. He might so far deviate from his intention of not noticing anything that had appeared in the public prints on this subject as to observe that a letter in that day's *Times* stated the allowance of the retail bookseller to be 33 per cent. The writer of that letter further stated that the retail booksellers did not speculate. But if they did not speculate they could not get that allowance—they would only receive 25 per cent. The writers went on to say that retail booksellers were surely the best judges of the scale of profits which would enable them to carry on their business. That was exactly what the Booksellers' Association said. The retail booksellers, as a body, came to them and said, " Our present profit is not too high ; we ask you to maintain it " ; and on that point he agreed with Messrs. Bickers and Bush. The public seemed to entertain a false impression that the profit of the retail booksellers was larger than that of other trades. The fact was, however, and his statement could easily be confirmed, that the allowances for profits in other trades were infinitely greater than in the bookselling trade. From 40, 50, and 60, to 100, or even more than 100 per cent., were no unfrequent profits in other trades, but the public had no means of knowing anything about it. Now, from the facts of having a fixed retail price, of complete identification, and of the necessity of an agreed and admitted allowance to the bookselling trade, arose a power of competition which did not exist in any other trade. It was very easy for a bookseller who wished to undersell to advertise that he would take off 10, or 15, or 20 per cent., and the public had ample means of knowing that they got such a reduction ; while a haberdasher, a hatter, or a glover might advertise his goods at a reduction of 20 per cent., but the public had no means of knowing that such a reduction was really made. A power of competition, as he had said, existed in the bookselling trade which did not exist in any other trade, and, if the power of repressing that competition should be taken away, a wild system of underselling would arise such as had never been seen in this country in any trade whatever. Underselling, instead of being the exception, and thereupon, perhaps, profitable, would be the rule, and thereupon, he believed, the ruin of the whole trade. He believed that the result of doing away with this power of repression would be the concentration of the trade in the hands of a few large monopolist retail dealers, to the injury of literature, the inconvenience of the public, and the ruin of hundreds of booksellers from the Land's-end to John o'Groat's house. The effect would be that the stock of country booksellers, except in very few instances, would be confined to small, low-priced, and probably not very valuable publications. He believed the change would tell especially upon the productions of new authors, and that the interests of literature would in consequence suffer most

materially. A new author had difficulties enough to contend with already, but he was satisfied that the abandonment of the power of repressing undue competition would increase them tenfold. He regarded the retail booksellers as a body of men who rendered essential service in promoting the progress of education and the extension of literature throughout the country, and he hoped the noble Lord and his colleagues would, on consideration, arrive at the conclusion that, if the plan of throwing the trade open should destroy such a class, the small and temporary advantage which might be reaped by the public would be purchased at too dear a price.

Mr. MURRAY observed that he was satisfied it would be found impossible to carry on business upon the pretended profits of the undersellers. The same underselling had prevailed in other businesses, and had been found to be ruinous. To show that the plan adopted by the Booksellers' Association was carried out by other trades, he might mention that he had in his possession a circular from a firm in the neighbourhood of Manchester, who were manufacturers of muslins, stating that they dealt with no customer who did not sign a paper engaging, under the penalty of a fine, not to sell under certain prices. The same principle was acted upon by a great house in the oil trade; and he was informed that Messrs. Strutt and Evans, of Derby, who manufactured a particular kind of thread, would only supply it to dealers on condition that it should be sold at a particular price. It had been urged against the booksellers that their system was an infraction of free trade principles; but he had the positive assurance that when Mr. Cobden was in business for himself he never allowed his muslins to be undersold. He had been informed also that Mr. Bright, who was manufacturing a new description of carpets, would deal only with those persons who would engage not to sell them at a depreciated price. (A laugh.) He might observe, also, that barristers and physicians had fixed the amount of their fees, and would not receive less than a certain sum. The effect of the change which certain persons were endeavouring to effect in the bookselling trade would be this, that though there might be no diminution in the number of standard books, by authors of name, that would be published, books by unknown authors would scarcely be received. The result of an alteration in the present system would be that he must reduce very much the number of books he published; for he certainly would not trust undersellers, because he did not believe their profits were such as to keep their heads above water.

Mr. DOUGLAS, of Edinburgh, stated that the system of underselling had been established in that city, but a meeting of the trade was held, at which regulations were adopted for repressing the practice, and those rules were subscribed by 173 out of 175 booksellers and publishers in Edinburgh and Glasgow.

Mr. Low, in reply to some inquiries from Lord Campbell, stated that the number of booksellers and stationers in London was rather more than 1,200, not more than half-a-dozen or ten of whom were undersellers.

Mr. DALTON contended that the profits realized by booksellers were much smaller than those obtained in other trades, and that if the trade

were thrown open the competition would reduce their profits to a ruinous degree.

Mr. TAYLOR (from Mr. Hatchard's) entered into some statements with regard to particular works, to show the extent to which it was in the power of retail booksellers to promote the sale of books which they were inclined to recommend.

LORD CAMPBELL observed that there could be no doubt that retail booksellers were quite indispensable to the success of literature ; but the question was, whether that class would be best encouraged by retaining the regulations of the Booksellers' Association or by their abolition.

Mr. SIMMS, of Manchester, said he represented the whole trade of that town, for all the undersellers without an exception had there joined the association.

LORD CAMPBELL.—The heretics are all reconciled to the true church. (A laugh.)

Mr. SIMMS proceeded to say that the opinion of the Manchester publishers and booksellers was that any reduction in the allowance to the country trade would materially affect the sale of all new books. He then went into some calculations to show, as a proof that the present trade allowance was not too high, that the retail booksellers in the smaller towns did not on the average clear more than £130 a year, after defraying the necessary expenses of their establishments, and that their profits were far less than those of persons engaged in other trades, as grocers, drapers, &c.

Mr. BELLBY, of Birmingham, showed, considerably in detail, the expenses entailed upon booksellers by executing the orders of their customers for small pamphlets and the cheaper class of serials, which expenses, he contended, were only met by the profit they obtained on the higher-priced class of books.

Mr. PICKERING briefly expressed his approval of the objects of the association.

Mr. PARKER observed, that the booksellers of Oxford were unanimously in favour of the present regulations. In reply to questions from Lord Campbell, he stated that in Germany the usual trade allowance was about one-third of the retail price, all new books being sent by the publishers on sale or return, and that regulations existed against underselling. In France, no system at all existed, but the allowance to booksellers varied from 5 to 50 per cent. There were in Paris no wholesale booksellers, and if a person wanted a dozen or 20 books he had to go for them to nearly as many different publishers.

Mr. BOHN confirmed the statements of Mr. Parker with regard to the foreign trade, and expressed his hope that the system of underselling, which led to perpetual misunderstandings between the London booksellers and the country retailers, and between both parties and their customers, would be put down. If the discount were reduced he was satisfied it would be impossible to support the agencies throughout the country.

Mr. SEELEY expressed his conviction, from personal knowledge, that the gentlemen who managed the Booksellers' Association had been actuated solely by regard for the interests of the trade, of the public, and of

literature generally. After referring at length to some of the statements in the letter of Messrs. Bickers and Bush, he observed that if the noble lord and his associates should, upon consideration, be of opinion that the Booksellers' Association were right, they would succeed in their object—that of maintaining peace, and law, and order in the trade. On the other hand, if the noble lord and the gentlemen by whom he was assisted decided that the Booksellers' Association were wrong, the end would be chaos, confusion, and disorder.

Mr. MILES entered into some details with reference to the position of houses in the bookselling trade (with one of which he is himself connected), whose business consists exclusively in acting as "middlemen" between the great London publishers and the country retail booksellers, their dealings being thus confined entirely to the trade. He showed the large expenses which were necessarily incurred in conducting such establishments, in consequence, especially, of the vast increase of cheap periodical literature; and contended that, even with the present rate of trade allowances, the profits realized by such houses were not excessive—not amounting on an average to more than about 4 per cent.

Mr. LONGMAN then said he thought the statements of the gentlemen who had expressed their opinions tended to show that the present amount of allowances was not too large. As long as they had the present system, however, there was great scope for underselling, the peculiarities of the trade rendering underselling very easy. As the result of that underselling, he feared that a competition might arise which would destroy the retail booksellers; and he, and the gentlemen by whom he was surrounded, were of opinion that if the retail trade were concentrated in the hands of a few large monopolists, great injury would result to literature, to the trade, and to the public. The main question was, whether the change suggested by the opponents of the Booksellers' Association would injure the retail booksellers or not. His opinion was that the competition that would arise would destroy them. Then, if a repressive system was necessary, it must be a coercive one. Mr. Macaulay had said to his brother—"If you think that Mr. Bickers or anybody else injures you, or injures my book, by selling it at and under price, by all means have no dealings with them." Now that seemed perfectly sound advice, but, unfortunately, it would not accomplish the proposed end, unless they had a coercive system. Mr. Miles, or Mr. Bohn, or a hundred other gentlemen, could supply Mr. Macaulay's book to Mr. Bickers or any one else. It was necessary, therefore, that the trade should come to some arrangement among themselves, but that would be useless unless a penalty was imposed for an infraction of the regulations. He believed that if unrestricted competition took place hundreds of retail booksellers would be ruined. Mr. Bohn said the other day,— "If Mr. Bickers can sell at five per cent. profit, I can sell at one," and he feared the trade might be driven to act upon some system of that kind. He believed they would fight until they reduced their profits to the lowest possible ebb—to a percentage which would not pay them; and then the present system would be re-established by an engagement among themselves not to sell under certain prices.

After some desultory conversation with regard to the bookselling trade in America,

LORD CAMPBELL said the case had been very ably argued on the part of the association ; but although a great deal of valuable information had been afforded on the subject, he and his friends, Dr. Milman and Mr. Grote, were not at present in a situation to express an opinion upon the question. He thought the great desideratum was that they should hear the other side, for in his opinion they ought to act upon the maxim "*Audi alteram partem.*" Even if he were convinced by the arguments he had heard in favour of the association, he would like to hear the other side, who might convert him. (A laugh.) Lord Eldon never would decide any cause, however clear it might be, without hearing the side against which he was inclined. He (Lord Campbell) must say that his mind was quite unbiased on this question, until he had a further opportunity of information and discussion, but he thought it desirable that they should hear the arguments of those who took a different view of the question, without its being expected that those parties should be bound by any opinion which he or his friends Mr. Grote and Dr. Milman might express. If Mr. Bickers, Mr. Bentley, Mr. Chapman, or any other gentleman wished to be heard, he would be most happy to meet them, without expecting them to say that they would change their mode of dealing in conformity with any opinion expressed by himself or his friends.

After some conversation it was arranged, that if any of the "undersellers" desired to argue the case against the association, Lord Campbell, the Dean of St. Paul's, Mr. Grote, and probably other literary gentlemen, would be prepared to hear their statements, between the 16th and 21st of May.

(From *The Times* of April 15, 1852.)

TO THE EDITOR OF THE TIMES.

Sir,—The only point brought forward by Messrs. Bickers and Bush, *i.e.*, the amount of trade allowance, is one in which, as I endeavoured to show in my letter of the 8th, the public are in no way interested. Books being an article of luxury, publishers will never be able to obtain a higher price than the public are willing to pay ; and if any one should be so ill-advised as to put too high a price upon his commodities, the competition of other publishers producing similar works will soon teach him his mistake. It follows then, that the subject now in dispute concerns the different members of the trade, and them alone. The question really is, as to the kind of agency which the publishers shall employ in bringing their works under the notice of the public ; and, whether they do this by means of hawkers going from door to door, by commission agents, paid by a percentage upon their sales, or by independent tradesmen, dealing with whom and in what they please, is a question which the publishers may surely be left to decide for themselves. If any publisher thinks the allowance too large he is fully at liberty to reduce it ; or, as has been done in more than one instance, to make none at all ; but I am at a loss

to discover what title Messrs. Bickers and Bush have to constitute themselves the arbiters of the manner in which the whole trade shall conduct their business. The fact is, that the practice of underselling has rendered the system of large allowances to the retailer almost necessary to his existence, and the publisher must of course take this into calculation in fixing the price of his books. If, however, he employs too expensive an agency he will defeat his own purpose, but he must be left to find this out by experience. I must again repeat, it is a question in which the public are in no degree concerned. The whole controversy originates in the selfish attempt of certain parties to create a monopoly of the retail trade, to defeat which the publishers found themselves compelled, in self-defence, to unite in the association which the same parties are now endeavouring to destroy. Its simple object is to enforce an uniform system of business throughout the trade; that it has any tendency to raise the price of books to the public I altogether deny; on the contrary, I am prepared to maintain that by equalizing, it tends to reduce prices. Its dissolution would, therefore, be an unqualified evil to the whole trade, without any compensating advantage to the public.

I am, Sir, your obedient servant,

Fleet-street, April 14.

G. SEELEY.

(From *The Times* of April 16, 1852.)

TO THE EDITOR OF THE TIMES.

Sir,—I am a poor clergyman, and I have read with much interest the recent correspondence upon the bookselling system. Many, I am persuaded, participate with me in surprise that men so respectable and intelligent as those whose names figured in the deputation waiting upon Lord Campbell yesterday should be found occupying such ground. Setting aside the principle of free trade and fair honest competition which are involved, the combination must be regarded as unjust by a discerning public, and it is felt to be one which presses with much hardship upon many purchasers.

I am one of the working clergy. I rejoice in the possession of about £100 a year. With this income my position as a London clergyman has to be maintained, my bodily strength supported whilst visiting the wretched abode of sickness and death, and my mind again and again supplied with matter needful for the public work of the ministry. In such a case standard works in divinity are not merely luxuries, but essential requisites—just as needful as paper to the publisher, or as the axe to the woodman. But who shall say how painfully perplexing has oftentimes been the question, how shall these be procured? In the country town of B—, 200 miles from the metropolis, I obtained a discount of 20 per cent. from the published price. In London, where my bookseller can and does send to the publisher for every volume ordered, I with difficulty obtain 10 per cent.; and thus I have had the satisfaction of seeing a person receive for portage alone 23 per cent., though he invests little or no capital, incurs little or no risk, and might receive payment when the books are delivered. I am at this moment under the

necessity of paying three guineas for a work which ought in justice only to cost me £2 12s. ; and I feel that in being obliged to pay 11s. for no other purpose than having the book portorage from Paternoster-row, I submit to a great injustice, being thus unable to purchase another work which would be of essential service in the prosecution of my ministry.

It will appear, then, from the above remarks that Mr. Seeley makes a great mistake when he affirms that "books are articles of luxury," and "that the present question is one with which the public are not concerned." The public are concerned with it, or ought to be, if it is a combination to ride roughshod over men who are content with reasonable profits and quick returns, if it is a confederacy to dictate the terms and the method in which the public shall approach elevating and elevated minds. This I conceive is the case ; and I trust your powerful influence, and an enlightened age, will thoroughly defeat so unworthy an object.

I beg to remain your obedient servant,

April 15.

CLERICUS.

(From *The Times* of April 16, 1852.)

TO THE EDITOR OF THE TIMES.

Sir,—Mr. Seeley, in his letter published in this day's *Times*, says— "If any publisher thinks the allowance (of discount to booksellers) too large, he is fully at liberty to reduce it, or, as has been done in more than one instance, to make none at all." Permit me to contradict this assertion. In January last I determined to allow no discount on American books, that I might reduce the price about 30 per cent. to the public. For this the "Booksellers' Association" called me to account. I continued firm, was expelled, and the present controversy has arisen from my resistance.

I am, Sir, your obedient servant,

142, Strand, April 15.

JOHN CHAPMAN.

(From *The Times* of April 16, 1852.)

We seem to have been quite justified in the anticipation that our readers would soon learn from one side or the other whatever was to be said for or against the principles of the Booksellers' Association as affecting the course of the trade. Since the appearance of our remarks, the whole subject has been discussed in our columns by a long succession of correspondents, and the particular question in dispute, as we yesterday reported, was argued at Stratheden-house before a Court of Honour assembled for the purpose. Mr. W. LONGMAN, as leading counsel of the Association, took occasion to discard with forensic dignity all "letters, statements, and articles which had appeared in print"—a proceeding somewhat unreasonable in a distinguished printer, and rather disrespectful to his constituents besides, for the correspondence alluded to came

principally from his own party, and was commenced by a letter from his own hand. Lord CAMPBELL, who figures as the CRANWORTH of this new Executive Council, very properly requested that the arguments on one side no less than on the other might be brought formally under his cognisance, and thus relieve him from the necessity of extrajudicial inquiry ; but, as the general reader was already acquainted with the case produced on Wednesday, and can sufficiently anticipate that presently to follow, he may perhaps find his opinions verging towards the form of a conclusion before the delivery of his Lordship's judgment. For ourselves, we must needs be sensitive enough to the principles in dispute. Over and above our duty to the public, we cannot but entertain in the " cause " of literature " a concern as lively and personal as consists with our corporate existence, for whatever pertains to letters pertains to us, and if the " interests of authors " are as closely involved in the question as Mr. MURRAY conceives, there is little danger of our bias being opposed to this gentleman's opinion. We must now, however, plainly declare that we think the Association has failed to establish its case, and that such hesitation as we might formerly have felt has vanished before the exposure of the subject.

Why should the publisher of a book, having calculated the fair cost of every ingredient in its production, and fixed a price accordingly at which he can deliver it to the retail dealer with a due profit to the author and himself, proceed to step out of his proper capacity, and charge himself with the regulation of the retail dealings ? To this question the publishers reply, that the case in dispute is not their own, but that of the retail dealers only ; that the Association is essentially a society, not of publishers, but of booksellers, and that the former have only contributed their indispensable co-operation in deference to the representations of the latter. We cannot forbear remarking that the documentary evidence before us is scarcely reconcilable with the idea of such disinterestedness on the part of the great publishing firms, but we are ready to accept their present avowals, and to exclude them altogether from consideration, according to their own request, merely observing that in this case they must at once desist from opposition to the unbiased views of the trade, and that they owe something to the public at large as well as to their immediate customers.

From this point, therefore, the argument, as far as we can methodize the expositions delivered, appears to take the following form. It is urged that the interests of authors, as well as those of readers, demand that the greatest possible currency should be given to new publications, that this currency can only be created by a multiplicity of shops, and that this multiplicity of shops could never be maintained except by a system repressing competition and securing all dealers alike in a fixed rate of

profit. If publishers, it is said, like other wholesale dealers, distributed their books to all applicants indiscriminately, without concerning themselves about the further sale of their wares, the result would be a monopoly of the retail trade by five or six large houses, "to the injury," as Mr. W. LONGMAN prophesies, "of literature, the inconvenience of the public, and the ruin of hundreds of booksellers." These are doubtless prospective calamities, but we scarcely see why they must be expected to ensue. By the present system, when a book has been produced, and is ready for delivery to the public at a certain price, say 15s., an organized combination of publishers ensures that it shall not be purchasable under £1, although the difference between the greater and the less of these sums cannot possibly represent anything but the cost of distribution, and such a duty would be eagerly accepted on much lower terms. What the "interests of literature and the convenience of the public" manifestly require is simply that books shall be sold and saleable in the greatest possible number, and all experience is against the conclusion than an extension of sale can follow from a magnified price. Surely Mr. MACAULAY'S *History*—which seems to be the favourite example—would be sold with greater rapidity at 26s. than at 29s. Doubtless there may be advantages from a multiplication of book-shops, but why these agreeable resorts should necessarily be diminished in number by the opening of the trade we really cannot discover. We presume the anticipation must be, that whereas only a much larger business could be remunerative at a reduced profit, the trade would thus be collected round five or six centres, to the destruction of small establishments. But is it not reasonable to expect that with a *general* reduction of prices there would spring up a general increase of business done? May not *each* bookseller hope to sell two copies for one when he takes 12 per cent. profit instead of 25? And, even if the number of establishments should be lessened, would not the interests of literature and the convenience of the public receive more than a compensation from the universal fall in prices? Surely, if a greater number of books find their way into circulation, the interests of "literature and the public" would gain, although the number of retail shops should be diminished. As to the booksellers themselves, although, as we have before remarked, we attach but little weight to an acquiescence which is as likely to be due to coercion as conviction, we can easily believe that a considerable number of established houses would concur in approving a system which preserves them from the spur of competition, and places the enterprising and the sluggish on the same dead level. But this, though it may be termed an advantage to the trade, can certainly not be for the "convenience of the public or the interests of literature."

"The principal object of the Booksellers' Association," said Mr. W.

LONGMAN, "was to prevent those who received the privileges of the "trade on certain implied conditions from enjoying those privileges "without fulfilling those conditions—the main privilege being a certain "discount from the retail price, and its condition being that this retail "price should be observed." But surely this is a strange description of a plain commercial transaction. The publisher of books is a wholesale manufacturer. The price called the "trade price" is the wholesale price of his commodities, a price which is so fixed as duly to remunerate all parties who have been hitherto concerned in their production. Beyond the receipt of this price, even by his own showing in the present dispute, he has no proper concern. The "retail price," that is to say, the price which results from the addition to the wholesale price of the cost of distribution, is no business of his; and when a dealer applies to him for a certain consignment of books, it is hard to see how he is asking a greater "privilege" than a tradesman of any other description who carries his custom to a wholesale house, or how the wholesale house in this case, any more than others, should assume the right of affixing "conditions" to the bargain. In point of fact, the publishers themselves now admit that they have no such right, but that they merely exercise the power in compliance with the assumed interests of their customers. But are these interests those of the public? or are they such as should be supported by a system of organized coercion?

It is exceedingly amusing, and should be not a little instructive, to see how piously the name and theory of actual "Protection" are eschewed by the advocates of the Association. As if conscious that such doctrines, purely avowed, would be the ruin of their cause, they earnestly proclaim themselves Freetraders, but argue that theirs constitutes an exceptional case to the overruling principles of free trade. They declare one and all, with great statistical display, that upon less than the present profits the booksellers "can't live." If this is indeed the case, there can be no necessity for an Association to prevent them from doing so. If a bookseller *must* charge 25 per cent. profit, he will do so under the operation of necessity much more surely, and far more naturally, than under the dictation of the Executive Council. It is certainly possible, as Mr. W. LONGMAN predicts, that books under such freedom of trade might be sold "at one price in one street and at another in another," according as one dealer found it practicable to "live" upon less than another; but this, we take it, is a very general aspect of wholesome trade. To put the whole case in a very few words, the natural course is for publishers to supply all comers with all they ask for at the trade or wholesale price, and leave the price to the public to be regulated, as in all other trades, by the arrangements of the retailers. Whether this might create any material changes of business we cannot take upon ourselves to say;

but it is, at any rate, not likely to cause so much embarrassment as an artificial protective system, which has actually set the trade by the ears, and has driven its advocates, like engineers upon "strike," to sue for the warrant of an umpire, as something less obnoxious than the tyranny of a club.

(From *The Times* of April 17, 1852.)

TO THE EDITOR OF THE TIMES.

Sir,—Some years ago I came from a remote part of Scotland to settle in London, and among other things that astonished me in this huge city was the difficulty of getting, when I wished to purchase books, what "in our parts," is known as "teachers' allowance." The allowance is $12\frac{1}{2}$ per cent., and it is readily made on all books purchased by teachers. Moreover, six months' credit, or even 12 months' is generally given. In the remotest corners of Scotland books are got on these terms; but in a tolerably important suburb of London, where I was personally known to the booksellers, I was distinctly refused, on applying for books at that rate. As books were not luxuries with me (what a notion for a bookseller to propagate!), but the very tools and implements of my trade, I determined to send to my old bookseller in Scotland, and accordingly I got him to forward a small parcel now and then, the $12\frac{1}{2}$ per cent. doing a great deal more than pay the re-transmission of the books from Scotland.

On showing a bookseller here how I managed, he agreed to supply me, as a great favour, at the same rate, but roundly asserted that he could not carry on his business at less than the 25 per cent. profit. He was quite unable to explain to me how I had no difficulty in getting London books at Banff or Inverness for less than he charged me within four miles of the "Row," and as to shop rent, on which he was fain to enlarge, I stopped his mouth at once, by telling him that in Glasgow, where shop rent is double what it is in the suburb I refer to, the same discount was allowed.

The sole effect of the present system of doing business in London—besides limiting the sale of books—is to serve the extremities of the empire by punishing the centre. We in London pay 10s. for a book, which we ought to get for 7s. 6d., that the publisher may sell the work at the same price in the Shetland Islands, or at Calcutta, or Sydney. This is highly unfair to us. Every locality has its advantages and its disadvantages, and it is absurd to equalize one thing, other things being quite unequal. The man in Shetland has his lamb's wool stockings for 6d., while we pay 2s. for them. The man at Sydney rejoices in mutton at 2d. a pound, while the London butcher charges 8d. Now, there ought to be a *per contra* to this, and as we are at the seat of the book manufacturers we ought to profit by our position. Books ought to be cheaper in London than anywhere, but the fact is they are dearer. The cheat is now found out, and it won't be submitted to. I shall be ashamed of my countryman, Lord Campbell, if he does not give a distinct deliverance against the Amalgamated Booksellers. Mr. Newton's claims "to rule the destinies of his trade" are not so absurd as Mr. W. Longman's. The system has nothing but "old repute, consent, and custom," to

recommend it, and it cannot be much longer maintained. "The interests of literature" are being strangled by its pretended friends, but with *The Times* as our *decus et tutamen* we shall not despair.

I am, &c.,

April 16.

EDUCATOR.

(From *The Times* of April 17, 1852.)

TO THE EDITOR OF THE TIMES.

Sir,—Will you allow one who was a bookseller before this association was thought of a small space in your journal? The deputation who represent the association stated, on their visit to Lord Campbell, that it is supported by the retail booksellers. It is, Sir, supported by the retail booksellers in much the same way as the prisoners supported the Black hole at Calcutta—they cannot possibly get out of it. Let any retail bookseller express and act upon an opinion that such a restriction is injurious to the trade and to the public—and what is the result? Every one acquainted with the trade knows that a line is drawn under his account in the ledgers of half-a-dozen great houses, and he is a ruined man. And beyond this, granting for a moment that such restrictive principles are both wise and fair, the association does not do its work. You inserted a letter from Messrs. Bickers and Bush on this subject. They cannot, not having signed the declaration, obtain Macaulay's *England* from Messrs. Longman, the publishers. How do they obtain them at trade price? Why, Sir, some accommodating friend, who thinks that

"Conscience ought to have a vacation,

"Like all the other courts of the nation,"

when it is not term time in that court allows Messrs. Bickers and Bush to have the books at the price they cost at Longman's trade sale.

I have watched the operation of this institution since its commencement, and am thoroughly convinced that, while it has in many instances compelled the public to pay more for their books than they would otherwise have done, it has fostered among the trade a system of subterfuge and duplicity.

I enclose my card, and am, Sir, your obedient servant,

April 16.

AN OLD BOOKSELLER.

(From *The Times* of April 27, 1852.)

TO THE EDITOR OF THE TIMES.

Sir,—We find that Mr. Simms stated, at the conference held at Stratheden-house on the 14th inst., that "he represented the whole of the Manchester trade, for all the undersellers, without an exception, had there joined the association."

This being calculated to convey a very erroneous impression of the ways and working of this and, as we believe, all other booksellers' associations, we beg to state that we opposed its formation as far as was

possible. We refused to attend its meetings or acknowledge its authority, and did not sign the rules until compelled to do so by our London accounts being actually closed.

Other houses in Manchester are in the same position with regard to the association, but we leave them to make their own disclaimer.

We are, Sir, your obedient servants,

BURGE AND PERRIN.

15, Princess-street, Manchester, April 17.

(From *The Times* of May 4, 1852.)

TO THE EDITOR OF THE TIMES.

Sir,—In the recent discussion respecting the book trade, the subject has been pretty fully dealt with by the representatives of the trade, as far as publishers and retail booksellers are concerned. Those discussions have, however, raised a question necessarily affecting other interests than those of manufacturers and sellers of books; and we have found it needful to consult authors and others interested in literary property as to their views and wishes on the subject.

We have accordingly submitted for consideration the following question, requesting that answers and observations may be forwarded to us, with permission to make use of them in furtherance of a settlement of the matter in dispute. But, as there are many persons interested to whom we have not the means of forwarding a private communication, may we beg to be favoured by your powerful aid in making our request universally known?

“QUESTION :—

“If a retail bookseller, of ascertained credit and respectability, applies to your publisher for copies of any book in which you are directly or indirectly interested, which he is ready to purchase on the terms at which the publisher has offered them to the trade at large, but with the avowed intention of retailing his purchases at a smaller profit than that provided for between the wholesale rate and the retail price fixed for single copies, do you consider the intention to sell at a low rate of profit a good and sufficient reason why the publisher should refuse to supply him with books which he is ready to purchase and to keep in stock at his own risk?”

We are, Sir, your obedient servants,

JOHN W. PARKER AND SON.

West Strand, April 29.

(From *The Times* of May 6, 1852.)

On Tuesday evening a meeting, very numerously attended by booksellers and authors, took place at Mr. Chapman's, 142, Strand, with reference to the system of “protected” profits enforced by the London Booksellers' Association.

MR. CHARLES DICKENS took the chair and said that, though he hesitated at first to do so, as the question struck him to be purely a booksellers'

one, he had been induced to accede to the request, being on principle opposed to any system of exclusion and restriction, and in favour of every man having the free exercise of his thrift and enterprise.

Letters were then read from Mr. Cobden, Mr. Thomas Carlyle, Mr. J. S. Mill, Professor de Morgan, Mr. Henry Cole, C.B., Mr. James Wilson, M.P., Mr. W. J. Fox, M.P., Mr. G. Combe, Mr. G. R. M'Culloch, Mr. W. E. Gladstone, M.P., Mr. Chambers, of Edinburgh, Mr. Leigh Hunt, Mr. Howitt, Dr. Pereira, and others, all expressing a decided condemnation of the course taken by the London Booksellers' Association and of the existing arrangements in the book trade.

Mr. JOHN CHAPMAN then explained the reasons which had induced him, and others who thought with him, not to take part in the conference before Lord Campbell. Since then he had received an invitation to attend a second meeting at his Lordship's, and he had written a qualified reply, which he read to the meeting. Mr. Chapman concluded by reading a long and carefully prepared statement on the question at issue.

Mr. BABBAGE moved the first resolution, and said that he had used the state of the publishing trade as an illustration in a chapter on "Monopoly" in his book called *The Economy of Manufactures*, written 20 years ago. He believed the changes contemplated would ultimately be best for all parties, and that the fears at present entertained would, in the end, be found without foundation. Exchange was not the gain of one over the other, but the common gain of both over nature. That was the simplest argument in favour of free trade. Again, it was bad in commerce that there should be any encumbrances on it. Of the oppression which they had met to remedy he had seen examples, and he knew no reason why the book trade should be an exception to the general law of free trade. All the laws of political economy depended on certain very simple rules of nature, and when it was not so he very much doubted them. As to combinations, he would, if he had had the influence with the workmen in a recent dispute which he once possessed, have done everything in his power to prevent them turning their power to their own ruin. If one party, however, in a trade combined, another must do so also; and he would conclude by proposing—

"The principles of free trade having now been established by experience as well as by argument, it is the opinion of this meeting that they ought to be applied to books as to all other articles of commerce."

Mr. BELL seconded the resolution.

Mr. SAUNDERS pointed out that the existing arrangements must have originated on behalf of the retailer to protect him against the undue competition of the wholesale dealer. He defended the amount of discount allowed from the charge of being exorbitant.

Mr. NOVELLO exposed the fallacy of any arrangement for defending retailers against wholesale prices by the familiar example of the price of beef at the meat salesman's in Newgate-market and at the butchers' at the West-end.

Mr. G. WILLIS regarded the question as entirely a booksellers' one, and deprecated a low scale of profits as highly injurious to that class. He felt convinced that the object of the present meeting was to bring

down their profits. If the object was to reduce the paper duty he could understand it, but the real intention was to crush the booksellers.

Mr. SOTHERN, as a retail bookseller, expressed his opinion that the question was an authors' question. The bookseller entered into the risk with the publisher and the author; and, if the present arrangement were altered, the works of unknown men would fall flat and dull upon the public. Free trade had nothing to do with the question. Free trade was an excellent thing in general, but free trade in books was not good. (Laughter.) He therefore moved an amendment.

Mr. WILLIS seconded the amendment, which, however, was withdrawn on a suggestion of the chairman.

The original resolution having at length been carried,

Mr. CHARLES KNIGHT moved

“That the principles of the Booksellers' Association are not only opposed to those of free trade, but are extremely tyrannical and vexatious in their application, and result in keeping the prices of books much higher than they otherwise would be, thus restricting their sale, to the great injury of authors, the public, and all connected with literature.”

He pointed out, as illustrations of the inequalities referred to in the resolution, that books were made as cheap at Aberdeen as within 100 yards of Paternoster-row, and that if a bookseller wanted to sell a work for 24s., the publisher came in and said, “No, you must take 30s. for it.” He entirely denied that there was any intention to depreciate the profits of booksellers, and the names of M'Culloch, Mill, and Wilson were evidences of this, as well as the presence of so many eminent men in literature and science.

Mr. TOM TAYLOR seconded the resolution. He did not know whether the gentlemen who had been proposing amendments were in the habit of reading the books they sold (laughter); but if they did, and referred to the first volume of M'Pherson's *History of Commerce*, giving an account of the tyrannical restrictions on trade in the 14th century,—if they did so, they would see that the principles of free trade did especially extend into the internal relations of trade. They would find that trade was then guarded as rigidly by restrictions as the gardens of the Hesperides, though there must have been very few golden apples to be picked up. (Laughter.) He came there as a consumer of books—a bookworm only—and he predicted that, as the farmer and the shipowner had been compelled by the public to yield to free trade, so would the bookseller also. (Hear, hear.)

Mr. BUSH supported the motion, which was carried unanimously.

Professor NEWMAN moved the next resolution, which was:—

“That this meeting considers the peculiarity of the book trade—viz., that the publisher fixes and advertises the retail price of his publications—no valid argument for the maintenance of the present restrictive system, and that the less the office of promoting the retail sale is centralized in the publisher, and the more it devolves on the local bookseller, the better for the commerce of literature.”

Professor ANSTED seconded the resolution. He could not understand, and had never been able to make out, why the book trade should contain

the peculiarities pointed out, and he considered that the trade might very fairly be left to itself.

The resolution having been agreed to,

Professor OWEN moved the next resolution, which was :—

“ That the trade restrictions, falling as they do with peculiar severity upon books of a comparatively limited circulation, greatly retard the spread of the higher branches of science and philosophy by rendering it unprofitable, and indeed dangerous, to publish works devoted to them.”

Dr. LANCASTER seconded the motion, which having been carried unanimously,

Mr. WARD moved that,—

“ That experience having repeatedly shown that trades with artificially high profits and a small market gain by being forced into the natural system of low profits and a large market, this meeting is of opinion that the abolition of the present restrictions, so far from injuring the book-selling business, will greatly benefit it.”

Mr. J. CHAPMAN seconded the motion, which was supported by Mr. G. CRUICKSHANK in a short speech, enforcing a kind and good-natured feeling among all parties in the question.

It was then arranged that Mr. Dickens should forward a copy of the resolutions, with a letter, to Lord Campbell, and

The proceedings terminated with a vote of thanks to Mr. Dickens for his conduct in the chair.

(From *The Times* of May 13, 1852.)

Mr. GLADSTONE, in the House of Commons on May 12, 1852, said :— It is probably within the knowledge of many whom I am addressing that a most interesting, and, I think, a most important struggle, is now in progress in the book trade (hear, hear) ; that, as I think most unfortunately, a large number of the booksellers of London and of the country—some say using the publishers of books as their instruments, others say led on and authorized by the publishers—are attempting by restrictions, as it seems to me, of a most imprudent and unwarrantable character, to prevent the price of books, which is so enormously high, from being mitigated even to the extent of a few shillings per cent. by the enterprise and energy of those among the retail traders who are disposed to give the public the advantage of that enterprise and energy. (Hear, hear.) I think it would be very unjust at the present moment to bear hard upon this body of publishers and booksellers, because, in a spirit which I think does them honour, they have consented to refer the question to the judgment of some distinguished persons (hear, hear) ; and at this moment Lord Campbell, with Mr. Grote and the Dean of St. Paul's, is engaged in the consideration of this question ; and they have, I believe, kindly undertaken to give their judgment upon it. (Hear, hear.) To that judgment, I believe, the London traders in books are prepared to submit. (Hear, hear.) I must confess I cannot much doubt what it will be. (Hear.) The House should be aware what is the exact nature of the question. The publishers of books are in the habit of supplying the retail traders at a fixed price, that

price being usually (with the exception of the case of wholesale purchases) at a discount of 25 per cent. upon the publishing price. The custom of the retail trade is, not to grant the public who purchase a greater discount than 10 per cent., leaving 15 for the retail trade. Some retail traders say they can give a greater discount than 10 per cent. ; but then this combination steps in and says, " You shall give no greater discount than 10 per cent. to the public, and, if you do not come under an engagement to that effect, we by combining among ourselves will exclude you from the trade in books ; " that is, deprive you of the means of livelihood in the vocation to which you have devoted yourself. This restriction is in my view a great evil. (Hear, hear.) I do not pretend to compare the price of new publications with that of articles of bodily subsistence in regard to the urgency of the questions they raise ; but I do say, that it is a very great evil that the price of books should be raised above what may be called the natural and legitimate amount. (Hear, hear.) And further, I venture to say, that the state of the book-market, except so far as it is partially mitigated by what are called cheap publications, is a disgrace to the present state of civilization. (Loud cries of " Hear, hear.") The controversy now going on with certain retail traders, who in my opinion deserve great credit for the energy with which they have struggled against the power they have endeavoured to cope with, is but a part of a system. (Hear.) I wish the House were aware of the facts in regard to the production and the sale of books in this country. The truth is, that monopoly and combination have been so long applied to the whole subject, that they really have gone near,—I do not say to the extinction of the trade, but to reducing it to its *minimum*. (Hear.) We have a country that has by far the largest educated class in the world. (A Member.—" There is America.") I was thinking of Europe, but, even taking America into account, we have a country in which the class that ought to be purchasers of new books is the largest in the world ; I mean the educated class in that sense—the men in possession of such fortune as ought to make them the natural purchasers of new publications. That class in this country is counted by twenties, and by fifties, I might almost say by hundreds of thousands. But what is the fact with regard to the state of the book-market ? It is, that with the exception of certain very highly-esteemed and distinguished authors—with the exception of such cases as Mr. Macaulay's *History of England*,—what are called new publications, not only in a majority of cases, but in an enormous majority, scarcely ever pass a sale of 500 copies. An immense proportion of those that are published do not pay their expenses at all ; and I believe the proportion of them passing the sale of 500 copies in this country, with its enormous means for the cheap production of books, and for supplying an extensive demand for them, is not more than something like 5 per cent. ; or, at any rate, not more than from 1-20th to 1-10th of the whole number produced. (Hear, hear.) Now, what is the consequence ? It is a matter within our personal experience. The purchase of new publications is scarcely attempted by anybody individually. (Hear, hear.) You go into the houses of your friends, and, unless in the case of books for which they have a professional want that must be satisfied, or unless they happen to

be persons of extraordinary wealth, you do not find copies of new publications upon their tables, purchased for themselves ; but you find something from the circulating library, or something from the book club. (Hear, hear.) But, what are these book clubs and book societies, which are engaged, with such an enormous loss of time and waste of machinery, in the distribution of books throughout the country ? They are the ingenious expedients which, under the pressure of necessity, men have adopted to mitigate the monstrous evils they experience from the enormously high price of books, and satisfy in some degree their own demand for that description of mental food. (Hear, hear.) Let the House observe too how, in cases of this kind, one system of combination generates and maintains another. It has been the practice of the book trade to combine (I do not use the term offensively) against the public ; and what is the consequence ? The printers combine against the book trade (hear, hear), and very naturally. (Hear.) Ask a publisher why the price of books is so high ; he will tell you one reason is " the printers have entered into a combination against us " (hear) ; and is it not perfectly natural that if the journeyman printer sees the publishers and booksellers combine against the public he will say, " I will step in and get a share of the fruits ? " and so it is. (Hear.) I hold in my hand a paper which has reached me, and other members I suppose, signed by two persons on behalf of the London Society of Compositors, and they say, " We draw your attention to Mr. T. M. Gibson's motion for the repeal of the taxes on knowledge ; we believe that those taxes present unnecessary obstacles to the spread of useful knowledge among the public generally." But I should like to know whether it is not also the case that the London compositors, who have so genial a sympathy with the right hon. gentleman, and so anxious a desire for the spread of useful information, are and have been for some time in strict combination together, and that the terms and effect of the combination are to raise the price of printing per sheet in London, and Oxford, and Cambridge, and I believe some other places, at least 25 or 30 per cent. above the price at which it can be executed anywhere else. (Hear, hear.) Now I hope, whenever the Chancellor of the Exchequer may be in a condition to propose to the House a remission of the paper duty, these matters will be well looked into (hear, hear), and that we shall take care that the public revenue is not given away for the purpose of facilitating or promoting the extension of these combinations. (Hear, hear.) The Government, no doubt, can do a great deal for the relief of this immense evil ; individuals cannot do it. If a particular person who has a work to publish chooses to say, " I will fix the price at one-half the ordinary amount," he merely makes a victim of himself, without acting in the least upon the state of the market, or acting sensibly upon the demand for his own book, because the consequence of a bad system has been to generate a machinery adapted to it, and book clubs and societies are not sensibly affected by the price of a book being more or less (hear, hear), and the operation of the natural and healthy play of the demand which ought to regulate the price, and of the principle that a book ought to sell for what it will fetch, neither more nor less, is totally intercepted by the system

which has been so long in action. (Hear, hear.) The Government has been endeavouring to do something for promoting the book trade in this country. For many years negotiations have been going on with foreign countries for the prevention of piracy abroad. I had the satisfaction when I was at the Board of Trade with my hon. friend the member for Glasgow (Mr. M'Gregor) of conducting negotiations with Prussia, and handing them over to Lord Dalhousie, who was able to put his hand to the first treaty of international copyright. (Hear.) There has been a treaty since with France under the late Government, and treaties have likewise been made with other parts of Germany. That is most important to the book trade of England, because, undoubtedly, the sale of piratical publications is very injurious, and, by narrowing the market, tends to force the elevation of price in this country. (Hear.) But as, by means of the influence of the State, we have opened foreign markets to the English book trade, we have some right to expect that efforts should be made by those who direct that trade to produce books upon reasonable and moderate terms with a view of supplying that demand. (Hear, hear.) The case of the colonies is a most remarkable one. We attempted to vindicate the rights of English authors in the colonies; but, owing to the monstrous price of books published here, the grievance in the colonies was felt to be so oppressive that I believe it was found necessary again to relax the law, and not attempt to prevent the entrance of piratical publications. (Hear, hear.) I believe there is hardly any article on which the public are called upon to pay a price that bears so high a proportion to the actual cost of production as in the case of books. (Hear, hear.) But the actual cost of production itself is not a proper standard, because that cost is enormously enhanced, more perhaps on books than on any other commodity by the restricted nature of the trade and the narrowness of the circle of demand. (Hear.) I do conceive that in this country we have the greatest facilities for the production of cheap books. (Hear, hear.) Under the disadvantages which the paper duty imposes, it is quite plain, from the efforts which have been made by enterprising and successful publishers, that even now we can produce, quality considered, as cheaply as any country in the world. (Hear.) I am convinced, if the finances of the State would permit you to resign the paper duty, you ought to be the cheapest producers of books in the world. (Hear, hear.) But while, as producers, you have the greatest advantages, so as to the scope of the market and the demand for books you have the materials for greater advantages than any other country. The state of facts ought to be this—books ought to be cheaper here and the sale larger than in any other country whatever. On the contrary, the state of facts is that, so far as new publications are concerned, the demand for books is narrower and the price higher than in any other country in the world. (Hear, hear.) I hope the House will forgive me for drawing attention to this important and interesting subject. (Hear, hear.) I am happy to see that good sense and public feeling have already acted so powerfully upon that intelligent and respectable body, the London publishers, as to induce them to refer this matter to arbitration. (Hear, hear.) I trust, when that combination breaks down, all other combinations affecting the book trade will break

down also. (Hear, hear.) I am sure the judgment expressed here will act materially upon public opinion, and through that upon the book trade ; and I do trust that before a great length of time the circumstances to which I have adverted, and which I say again are a scandal to the country, will disappear. (Hear, hear.)

(From *The Times* of May 13, 1852.)

The discussion in the Commons yesterday morning had all the usual characteristics of a Wednesday's debate. It was an adjourned debate ; the arguments had been exhausted and the tale thrice told ; to crown all, the decision had been anticipated by the Budget, which had made no mention of " taxes on knowledge." It is always uphill work when men meet to reiterate what has been said often before, and to discuss what has been already decided on. In spite, however, of these discouraging circumstances the hon. members contrived to get up a really interesting conversation, more or less bearing on the motion before them. A little divergence is very excusable when we cannot otherwise escape from vain repetitions, and when Mr. COWAN had recited the contents of an old pamphlet chiefly relating to Excise grievances long since removed, Mr. GLADSTONE created a timely diversion by an excellent speech on the peculiarities of the modern bookselling system. As he fully explained, his remarks on this subject were quite to the purpose in hand, inasmuch as it is ridiculous to expect a sacrifice of revenue in behalf of a class which claims the privilege of fixed prices that have no natural relation either to the costs of production or to the demands of the public. It is true that the Excise on paper constitutes a very insignificant item in the cost of new works, and as far as it operates as a check upon serials and cheap publications reacts in favour of such books as Mr. MACAULAY'S. It is true that original works are indirectly protected by a tax which oppresses the monthly or weekly compiler. But the public will always take a general and, so to speak, an external view of these subjects, and, as Mr. GLADSTONE shows, there is a manifest absurdity to the popular apprehension in extending the principles of free trade in favour of men who repudiate them altogether in their own practice. A trade which bristles with monopoly, and in which printers, publishers, booksellers, and compositors have all their several combinations, surrenders all claim to the sympathy of Parliament. It is not usual to help those who show so little scruple in helping themselves. The publishers of this metropolis have the finest position and the amplest opportunities in the world. At the centre of communication, and at the head of intelligence, with fleets daily leaving our ports for all nations in the world, with numerous colonies under our rule, and more than fifty millions of people speaking our language, we might make this metropolis the great manufactory and depôt of British literature.

These advantages are neutralized, not so much by financial oppression as by a sluggish and timorous policy of self-protection ; by the attempt to combine small returns and large profits ; by looking for customers in a small class, and not in the world at large ; by a system which renders the sale of a few thousand copies, even in the case of the most popular writers, and on the most interesting subjects, a surprise to the largest and most experienced publishers.

(From *The Times* of May 18, 1852.)

It will be in the recollection of our readers that some weeks ago Lord Campbell, the Dean of St. Paul's (the Very Rev. Dr. Milman), and Mr. George Grote, who had undertaken, at the request of the "Booksellers' Association," to endeavour to arrange the question of "underselling," which has recently excited general interest, received at Stratheden-house a deputation from the society, who explained at great length the objects with which it had been established. Several of the leading opponents of the association, including Messrs. Chapman, Bush, and Bickers, had been invited to attend on that occasion, but, as none of them were present, Lord Campbell suggested that another opportunity should be afforded to those gentlemen of stating their views on the subject. They were accordingly invited to meet the deputation from the Booksellers' Association at Stratheden-house yesterday, and the following gentlemen, who are "undersellers" in London or the country, accepted the invitation :—Messrs. Bush, Bickers, W. Tegg, and John Chapman, of London ; Mr. Perrin, of the firm of Burge and Perrin, of Manchester ; and Mr. Griffin, of Glasgow. The members of the Booksellers' Association who attended were—Mr. W. Longman (the chairman), Mr. Murray, Mr. J. H. Parker (Oxford), Mr. Pickering, Mr. Beilby (Birmingham), Mr. Douglas (Edinburgh), Mr. Taylor (of Mr. Hatchard's), Mr. R. B. Seeley, Mr. J. J. Miles, Mr. Rivington, Mr. Bohn, and Mr. S. Low (secretary to the London Association).

It may be remembered that, although the Booksellers' Association, in their resolution inviting this arbitration, declared "that the decision of Lord Campbell and the other literary gentlemen shall be binding on the committee, who agree, if the decision be averse, to convene the trade and resign their functions," several of the "undersellers" have distinctly stated that they were determined not to alter their system of business, even if the opinions of the noble and learned Lord and his colleagues should be favourable to the maintenance of the regulations established by the association.

The representatives of the society and their opponents were met, at 1 o'clock yesterday, at Stratheden-house, Kensington, by Lord Campbell, Dr. Milman, and Mr. Grote.

LORD CAMPBELL said that he had received a letter from Mr. C. Dickens, accompanied by an account of the proceedings which had taken place at a very respectable meeting of authors, publishers, and booksellers, and various communications had been made to his colleagues and

himself on this subject, all of which they had read. They were now quite willing to hear anything that might be said by any gentlemen who were present against the regulations of the Booksellers' Association.

Mr. BICKERS would state very briefly the reasons which induced him and other gentlemen to give their most determined opposition to the association. They claimed the right to dispose of their property in whatever manner they deemed most conducive to their own interest, unshackled by trade regulations, which they considered impracticable and impolitic, as well as unjust to themselves as traders, and to the public as purchasers. He thought the right of an individual to get as much as he could for his money was infringed when any parties endeavoured by combination to enforce higher prices than would otherwise exist. He conceived that associations seeking to effect such objects, and whose regulations could not be enforced in Courts of law, were illegal as well as impolitic.

Lord CAMPBELL.—Oh, no ! they are not illegal, Mr. Bickers. They do not force you by any violence or threats.

Mr. BICKERS thought, if it were necessary, he could show that they did. The impracticability of carrying out the objects of such associations was proved by the fact that for 12 years he and others in the trade had refused to join them. He considered that when the author and the publisher had fixed the price at which they were content to sell their book to the retail trader their interest in it ought to be at an end, and the amount of remuneration for his own trouble ought to be left to the decision of the retailer, as was the case in all other trades. It was said that if the association ceased to exist the trade would fall into a state of confusion ; but the publishers and book merchants could check reckless trading by declining to give credit, and all other inconveniences would right themselves. He could only say that the firm with which he was connected would never, under any circumstances, submit to the regulations of the association. Free trade had proved successful in every branch of commerce and trade ; and he did not know why it should fail in the case of the bookselling business. It had been said that books approached most nearly, as articles of commerce, to patented articles ; but he had yet to learn that traders were compelled to charge a fixed price for patented articles, and it was well known that the sale of such articles was most remunerative when the patents had expired. It had been urged that booksellers could not live without a profit of 25 per cent., and that those traders who purchased books did so upon the implied conviction that the publishers' prices should be observed. He denied both positions. The bookselling business could be, and was, carried on with less than 25 per cent. profit, and he knew nothing about the implied condition. When he had purchased a book from Mr. Longman or Mr. Murray, paying them their profit, he conceived that he might deal with it as he thought proper. He could not understand why a publisher should consider that he was conferring a favour by selling a book. In fact, he had thought that the obligation was conferred by the purchaser, and not by the seller ; and for his own part he had always been obliged to those who had purchased books from him. The fact was patent that the principles of the association could not be carried

out. It might be powerful for mischief and annoyance, but underselling always had existed and always would exist. He hoped the decision of the noble Lord and of the gentlemen associated with him would confirm the condemnation of the association, already pronounced by Mr. Mill, Mr. M'Culloch, Mr. Gladstone, Mr. Carlyle, Mr. Dickens, and many other gentlemen of high literary reputation, and by the unmistakable voice of public opinion, so strongly expressed through the leading newspapers of the day. The objects of the Booksellers' Association were in fact anti-commercial, absurd, and preposterous. If they left the retail bookseller alone to do the best he could, there was no doubt he would manage to live. The undersellers, by diminishing prices, had greatly increased the sale of books, and through their instrumentality persons of small incomes were enabled to provide themselves with libraries, which otherwise they could not possess. The bookselling business ought to be the largest and most important trade in this country, but no branch of trade could flourish while it was embarrassed by restrictions. He was satisfied that there could be no peace, law, or order in the bookselling trade until all artificial restrictions were removed, and until the wise maxim of letting trade alone was fully recognized.

Mr. CHAPMAN had very little to add to the article that had appeared on this subject in the *Westminster Review*. He might observe, with regard to the comparison that had been drawn between books and patented articles, that he had never heard of patentees combining to compel their agents to sell at a particular price. The system established by the Booksellers' Association had a tendency to generate extreme dishonesty, for many retail booksellers signed the agreement, which was forced upon them, and then sold at reduced prices. He was satisfied, for his own part, that he had been a great loser by the system when he was forced into it; and he might state—to show how inefficient the regulations of the association were—that since he had ceased to be a member, several retail booksellers had offered to supply him with any books he required. He had never, since withdrawing from the society, had occasion to refuse any book for which a customer had applied to him. If a reduction of 15 per cent. upon the present price of books were to take place, the greatly increased sale would considerably lessen the cost of each book, in respect of advertising, the "composition" of the type—which was the same for 1,000 as for 20,000 copies, and of other charges. He had no doubt that, in the course of a few years, a present reduction of 15 per cent. would lead to a reduction of 30 per cent.

Mr. BUSH wished to observe that the gentlemen with whom he was associated were not pledged to abide by any decision at which the noble Lord, Dr. Milman, and Mr. Grote might arrive.

Lord CAMPBELL.—That is well understood. You need not give yourself any trouble about that.

Mr. BUSH then proceeded to state that Mr. Longman himself adopted the very plan of the "undersellers," for at his trade sales, which were held twice a year, he made an extra allowance to purchasers, beyond the ordinary trade allowance (as we understood), of 14 per cent. Why was this? Because Mr. Longman wished to do a larger business. He (Mr.

Bush) did not see, then, why a man who was ready to pay money to a publisher for books should not have a perfect right to sell them as cheaply as he could. He held that the lowering of the price of books increased their sale, and that food for the mind was as important to a large class of people in this country as food for the stomach. He would ask whether school books, medical books, scientific books, or theological books could be called luxuries? They were in many cases necessities, and many a father of a family would be very thankful for any reduction in their price.

LORD CAMPBELL.—I am afraid that law books are not luxuries either. (Laughter.)

MR. BUSH went on to read several letters from Messrs. Longman, Mr. Murray, and other publishers, addressed to retail booksellers, in order to show that the practice of the wholesale firms was to decline to execute the orders of retailers who had not complied with the regulations of the trade. He complained also that placards were publicly exhibited in many booksellers' warehouses and shops on which were printed the names of those persons to whom tickets had been refused by the association, and contended that such a proceeding might affect most injuriously the credit of the individuals thus mentioned in the minds of persons who were not fully acquainted with the circumstances.

MR. SEELEY.—We find persons violating the contracts they have entered into, and then this is done.

LORD CAMPBELL.—It seems like a sentence of excommunication.

MR. BUSH proceeded to read letters to show that some members of the association had been either actually deprived of their tickets, or threatened with deprivation, because they had supplied books to "underselling" booksellers, who did not possess tickets. He then alluded to the enormous profits of the publishers, and stated that he found, from a recent return of the House of Commons, that the *Fifth Book of Reading* published for the Irish schools contained 409 pages, with woodcuts, and the commissioners stated that it gave a profit of 205 per cent. He then took the last edition of *Enfield's Speaker*, published in 1851. He found that it contained 364 pages—less than the *Reading Book*, but that it was printed upon better paper, and had a better binding. Its price, however, was 3s. 6d., and he set off against the better binding and paper the extra number of pages and the woodcuts in the Irish book. He thought that from the comparison some idea might be formed of the profit made by the publishers; and they might understand why those gentlemen were so much opposed to any change in the present system. He maintained, in conclusion, that a great number of authors and a large portion of the trade were opposed to the association.

After some observations from Mr. Griffin, of Glasgow, and Mr. Perrin, of Manchester, who stated that 10 out of 18 members of the Booksellers Association in that place had protested against the principle of the association, expressing their opinion that it was desirable for the interests of publishers, authors, the public, and the trade generally, that entire freedom of action should be allowed,

MR. LONGMAN, in reply, said he was perfectly willing to admit that such an institution as the Booksellers' Association could not be carried on

without coercion. With regard to the letters which had been referred to, some of them only showed how conscientiously and disinterestedly the house with which he was connected had carried out the principles of the association. He wished to take this opportunity of noticing a few statements and opinions which had recently been put forward with regard to the conduct of the Booksellers' Association, and which, as it appeared to him, were erroneous. It had been constantly said that the publishers and "book merchants," as they were termed, of Paternoster-row, had supported, if they had not originated, the Booksellers' Association for their own selfish ends, and in order to promote interests different from those of the general body of the trade. It was also asserted that they had coerced the retail trade into this system. Those statements were entirely opposed to the real facts. The object of the association was to produce a uniform rate at which books should be sold ; in fact, to destroy competition in the retailing of books. Now, he might ask, who would most benefit by competition ? Who were those who could compete on the most advantageous terms ? Was it not those whose extent of business had procured for them the high-sounding name of "book merchants" ; who had a large capital, extensive connexions, and ample machinery for carrying on their business ; and who in addition were very large proprietors of copyrights ? It had excited some surprise that he (Mr. Longman) had taken so prominent a part in the management of the association. He might therefore state, that for some time previous to 1850 the association was carried on with great laxity ; that it was a snare rather than a safeguard. The house with which he was connected were determined, that if the association continued to exist, it should be carried on systematically, thoroughly, and completely ; and the trade, looking to his firm to a very considerable extent as their leaders, wished them to be the chief managers of the association. His partners permitted him to become the chairman of the association, and he then felt it his duty to do all in his power to carry out its objects. He should state that they and the other book merchants, before they committed themselves to this course, required to be satisfied that it was the general wish of the retail booksellers that the association should exist ; and it was not until they were convinced of this fact that they consented to move in the matter. He hoped that, after this explanation, they would hear no more of the charges that had been brought against the publishers and book merchants of having united to dictate terms to the retail trade. It had been stated that the act of forming the association was not the act of the general body of the trade. He could only say, that every opportunity was afforded for discussing the question ; and, with this view, a public meeting of the bookselling trade, convened by advertisement, took place at Exeter-hall, invitations to attend having been sent to every bookseller of any extent of business in London. He wished now to offer a few remarks upon a very able statement which had recently been made on this subject by Mr. Gladstone during a debate in the House of Commons. It was stated by Mr. Gladstone that "the book-market was a disgrace to the present state of civilization," and that it was "a scandal to the country." Now, he would not attempt to deny that the statement of Mr. Gladstone was, in many respects, a most able and

comprehensive view of the state of the bookselling trade. He would not attempt to deny that, from some cause, the sale of new books was far below what might fairly be expected, but he must express a doubt whether this was attributable to the present bookselling system. It would appear from Mr. Gladstone's statement that the publishers, as a body, were lagging behind the age, and that they were actuated by a narrow-minded spirit. Now, although it was quite possible that the publishers might have taken wrong means to promote a certain end—the greatest possible circulation of books,—he felt they did not deserve this chastisement. The present bookselling system was the growth of time, and he thought the publishers had shown that they were willing to accommodate themselves to the circumstances of the day by willingly submitting themselves to the judgment of the noble lord (Lord Campbell), and the gentlemen who had consented to act with him. In supporting the Bookselling Association they were aware they were putting its merits or defects to the severest possible test, and that the system could not succeed without the co-operation of all, including authors as well as publishers. He would beg to call attention to the changes which had taken place in the bookselling trade within a few years, to show that it had advanced with the times, and that it must continue to advance. There was no business in which there was more competition than in the publishing trade, and in no trade had greater reductions in price been made within the last 20 years. He would ask them to compare the prices of books now with what they were 25 years ago. At that time every new book of travels, history, biography, and even every poem of pretension, was published in quarto, and at a high price. Now they never heard of quartos. A few years ago the house to which he belonged tried the experiment of publishing a quarto, but they were not inclined to repeat the experiment. The tendency of the present day was to publish books as cheaply as possible, and publishers were daily competing with each other with this object. Publishers were, indeed, continually engaged in an active competition with themselves. It constantly happened that a publisher was offered a new book on a subject upon which he already possessed books which were valuable property; but, if he believed the new books to be better than those he now published, he knew his interest too well to hesitate as to the course he should take. Mr. Gladstone had said that the state of the bookselling trade rendered it expedient not to carry out the Copyright Act in the colonies. The constant endeavour both of his own (Mr. Longman's) and other houses was to promote the sale of their books in foreign countries, by offering large numbers for sale at greatly reduced prices, at a mere profit on the paper and presswork; and the fact that they had not a larger market was mainly owing to the fact of the Copyright Act not being enforced in the colonies.

LORD CAMPBELL inquired if pirated editions of English works were introduced into the colonies from the United States?

Mr. LONGMAN replied in the affirmative, observing that of course those works were not burdened with the cost of a single shilling paid to the author. Mr. Carlyle, in a letter he had written on this subject, observed

that "The spirit of the book trade, it is mournfully evident, is that of modern trade generally—no better and no worse—a hand-to-mouth spirit, incapable of ever again paying for even a *Johnson's Dictionary*." He (Mr. Longman) could only say that for years his firm had been endeavouring to find an author willing and competent to re-edit that work. They were willing to pay liberally, but they could not find an editor; and if these remarks should induce any literary gentleman to undertake the duty, he would thank Mr. Carlyle for his remarkable letter. He believed there never existed a more enterprising body of publishers than those of the present day. He held in his hand a list of 14 volumes, published by his house within a few years, the first editions of which cost them above £60,000. Those editions varied in number from 1,000 to 4,000 copies; their authorship cost the firm between £16,000 and £17,000; and if every copy of those first editions had been sold, without reckoning a shilling for interest, there would have been still a deficiency of about £10,000. If this association should cease to exist, he feared that not a little confusion and ruin would ensue; but he believed it would be necessary for a time to let events take their natural course. A reduction of the allowance had been recommended, and that appeared to him the best suggestion that had been made, but it would be attended with very great technical difficulties. He now left the case in the hands of the noble lord and his colleagues, with the greatest confidence in their impartiality and in the correctness of their judgment.

Some remarks in reply to, or in explanation of, statements made during the discussion, having been made by Mr. Murray, Mr. Beilby, Mr. Parker, Mr. Douglas, and Mr. Seeley,

LORD CAMPBELL said (in reply to some observations of Mr. Seeley) that he and his colleagues had never intended, and could not undertake, to lay down any regulations for the conduct of the trade in future. That was entirely beyond the scope of what they had engaged to do. They wished to take time to consider the able arguments adduced on both sides, and would express their opinion on Wednesday next. The deputations then retired.

(From *The Times* of May 19, 1852.)

A controversy, to which we introduced the public some few weeks ago, has now acquired a recognized title, a very general attraction, and a substantial, though we trust a short-lived, existence. "The Bookselling question," as it is formally termed, has been argued at two several hearings before LORD CAMPBELL and assessors at Stratheden-house, it has been expounded by an ex-Minister from his place in Parliament, and it has been elucidated by the written opinions of 89 "authors and others," whose views upon the moot point have been elicited by Mr. J. W. PARKER, and given to the world in a pamphlet. We yesterday published the second report of the case as heard before LORD CAMPBELL, and to-morrow morning our readers will be presented with a judgment, which

we trust will bring the question to a close. It is not a little remarkable that some of the most acute writers of Mr. PARKER's septuagint should have acknowledged a want of mastery over the subject in dispute. If this is indeed the case, we are compelled to presume among the public at large a lack of information which it becomes our duty to remedy. Of the purport of LORD CAMPBELL's decision we cannot profess to entertain a doubt, but in these days no warrant of personal or official authority can be equivalent to sound popular convictions, and the settlement of the controversy will be deprived of half its advantages if it is effected without the general comprehension of the public. Once more, therefore, we recapitulate the points of the great "Bookselling question."

A book is an article of joint manufacture, produced for the purposes of sale by a writer and a publisher. The writer supplies the literary composition, the publisher commits this production to print, and lays it before the world in the shape of a volume. The volume is then ready for the purchaser, but, as the general consumer cannot of course be supplied in all cases from the first hand, a class of retailers has found its occupation and account in distributing to individual purchasers the books received from the wholesale producers of the publication. In these arrangements there is nothing to excite surprise, or it might be thought to create embarrassment, for the same practices have always naturally prevailed in every other department of trade. But, whereas in all other trades the wholesale dealer leaves the retailer to dispose of his consignments as he thinks best, without presuming to exercise any control over his further proceedings, in the book trade the publisher claims a right of fixing not only the wholesale but the retail price, and of dictating conditions of business to those whose stock in trade he supplies. His title to do this constitutes the question at issue.

Between the "trade" or wholesale price at which retail dealers are supplied, and the "publication" or retail price which the public are expected to pay, there is a difference of at least 25 per cent. A book which, if sold at 15s., 14s., or even 13s. would fairly remunerate, according to their own assessment, all parties concerned in its production, is made deliverable to the public at a charge of not less than a sovereign; the difference between these figures representing, of course, nothing whatever but the cost of distribution. Although, however, there are retailers prepared to perform this distribution at a cost considerably less, the wholesale dealers declare that the retrenchment shall not be effected. They decide and ordain that the public shall pay 25 per cent. on the purchase of a book beyond what the book has cost, and, if any retailers refuse to adhere to this standard of dealing, they cut off their supplies altogether by denying them any books to sell. These are the principles and the practice of the Booksellers' Association, now on its trial before

the public. In defence, the publishers allege that they are acting without any private interest, and solely at the instance and on behalf of the retailers themselves; while, in explanation of such compliance on their own part, they argue thus:—They say that the price of a book ought to be uniform, and that this has been fixed by the assumption that 25 per cent. profit as the very lowest point at which a bookseller can live; that, if any reduced scale were taken or permitted by the effects of competition to be brought into operation, the result would be that one bookseller, by absorbing all the custom of the neighbourhood, would “eat up” the others; and that, consequently, a reduction in the number of retailers would ensue highly injurious to those interests of literature, which are promoted by the exposure of new publications in the greatest possible number of shops. In other words, whereas the sale of books at the present compulsory rate of profit would maintain three or four booksellers in a position to keep open shop, the sale of the like number of copies under the influence of free competition must be monopolized by one man to enable him to do business at all. The gross profits on certain sales being, say, £100, are fairly divisible among three establishments; reduce them to £35, and they will support only one. Such, substantially, are the arguments of the Associated Booksellers, from which appealing *in transitu* to the unanimity of the trade itself, they argue that the proposed introduction of competition would be prejudicial to the profession, to literature, and to the public. It surely requires no extraordinary acuteness to bring these assertions to the test of reason.

As to the disinterested purity of the great publishing houses, we can only say that such resolute activity as they have evinced, if in the cause of others, it has seldom been our lot to witness; but on this point we are willing, as we before observed, to take their declarations for granted, and exclude them from consideration altogether. There remains, then, only the retail dealers to be taken into account; and of their “interests” we can dispose in a few words. If the cause of retail booksellers is identical with that of the public it can doubtless be maintained; if not, it must needs fall. That the interests of the public are identical with those of literature is beyond a question. The point would be at once set at rest by the astonishing unanimity of Mr. PARKER’s “authors,” even it were not self-evident that the largest possible sale of all new publications was the one point in which writers and readers were alike concerned. If it can be proved, not only that from the opening of the book trade would ensue a diminution of retailers, but from this diminution a proportionate decline in the sale of books, the point will be a strong one, but we do not think such a conclusion maintainable for a moment. It is manifestly unreasonable to presume that the sale of books can be diminished by a reduction of 10 or 15 per cent. on

their ordinary cost. If the number of books sold is not less, nothing can be plainer than that the public interests would be consulted by a fall of price, even if accompanied by a fall of retailers. It is preposterous to ask purchasers to add 15 per cent. to their expenditure on books, in order that 30 booksellers, instead of 10, may have the privilege of serving them. As far as the public is concerned, the whole question turns upon the number of books probably saleable under one system, as compared with the other, and all experience tells us that this is mainly a question of price alone. If retailers should be found to suffer generally by a change, their lot will be regretted, but no arbitrator could ever suggest that the public should be saddled with an unnecessary charge to maintain a superfluity of distributors. As to 25 per cent. being the "lowest possible profit," the argument, like that of "uniformity of price," is not worth consideration. If a bookseller *cannot* live on less than Mr. LONGMAN'S scale of gain, of course he will not, and the association might just as well enact that none of its members should live above the age of 110. Touching the "uniformity," we might briefly say, what these very proceedings confess, that it does not and cannot exist even as things stand, but, if it should be still further modified, we see no harm in the result. Sheep are at least as much like each other as books, and yet mutton is permitted, within certain limits, to "fluctuate" without perceptible damage to man or beast.

The original error of the publishers appears to us to lie in the circumstance that they have never forgotten to consider themselves booksellers too. They still think they are producing a book for the last purchaser instead of looking to their own immediate customer, the retail dealer. Mr. MURRAY, if we remember, or some one equally eminent in the trade, even urged that, if a reduction of the regulation profits were insisted on, the difference would fall to the publisher, and not to the public—as if the retail dealer's price pertained in fee to the publisher himself, and was only reduced out of his benignant consideration for the retailer. But nothing can be clearer than that, except on conditions which have not yet been shown, the publisher's concern in his commodities should absolutely cease when he has once parted with them at his own price to be retailed elsewhere. To the alleged unanimity of the retailers themselves we attach little weight; first, because their consent, when once the association was set on foot, became virtually compulsory; and, next, because, although even a majority of tradesmen might select to be protected in a high rate of profit to the prejudice of more bustling competitors, their interests in this case would not be those of the community at large. We can see no other end to the controversy than that the publishers should confine themselves to their proper functions of wholesale dealers, and leave the profits of the retailers in this, as in all other trades, to find their own level.

Mr. PARKER has got a famous menagerie of "authors," amounting, indeed, "others" included, to nearly 100 specimens, but we do not in any compartment of his exhibition observe our respected CHANCELLOR of the EXCHEQUER. For more reasons than one, we regret that Mr. DISRAELI should belong to another proprietor, for we should greatly have rejoiced to peruse his opinions on "protection" when applied so very critically to himself. We trust, however, that he will find a moment to cast his eye over Mr. PARKER's playbill, and observe the sentiments incidentally and indeed insensibly expressed by 89 gentlemen of education who have been inveigled into forgetting politics while they spoke their mind. These writers talk of Free Trade as they would of common honesty, assuming of course that it is the "best policy," and inquiring only for the circumstances which could possibly modify its application to the case before them. There is a moral, Mr. DISRAELI may depend upon it, even in the booksellers' question, nor can he think it easy to apply to the bread of the people a principle which, when once exposed, is found intolerable in the sale of a sixpenny pamphlet.

(From *The Times* of May 20, 1852.)

Yesterday, in accordance with the arrangement made on Monday, the deputation from the Booksellers' Association (including Messrs. W. Longman, Murray, J. H. Parker, Pickering, Seeley, Rivington, and Bohn), and Messrs. Bush, Bickers, John Chapman, and other gentlemen who have opposed the regulations of the society, attended at Stratheddenhouse, Kensington, the residence of Lord Campbell, to hear the decision of his Lordship, Dr. Milman, and Mr. George Grote, on the question of "underselling" in the bookselling trade.

LORD CAMPBELL (who was accompanied by Dr. Milman and Mr. Grote) received the deputations most courteously, and read the following decision:—

"At a meeting of the Booksellers' Association held in London on the 8th of April last, the following resolution was unanimously agreed to:—

"That a conference be invited between Lord Campbell, in conjunction with a few of our principal authors, and certain members of the booksellers' trade, for the purpose of deciding whether the Booksellers' Association shall be carried on under its present regulations or not,—it being understood that the decision of Lord Campbell and the other literary gentlemen shall be binding on the committee, who agree, if the decision be adverse, to convene the trade, and resign their functions.'

"We having been solicited to act as referees in this matter, have not hesitated to do so, in the hope of rendering some service to the cause of literature. No question is put to us of law or morality. We are merely requested to say what, in our opinion, is reasonable and expedient.

“ We must begin by warmly applauding the fairness with which the members of the association have conducted themselves throughout this controversy. These gentlemen are, no doubt, sincerely convinced that the regulations under which the bookselling trade is now carried on by them are equitable and conducive to the public good. Nevertheless they are ready to abandon those regulations, if certain individuals, who were named by others, should, after hearing all that might be urged on both sides, come to a contrary conclusion.

“ The substance of the regulations submitted to us we understand to be, that all booksellers keeping a shop in London, or within 12 miles of the General Post-office, are to become members of the association, and are to receive a ticket entitling them to buy new books from the publishers ; that the publishers of new books specify a retail price for each copy ; that they sell copies to the retail booksellers at about 30 per cent. under that price ; that they require an engagement from the retail booksellers not to allow to their customers a larger discount than 10 per cent. from the retail price ; that, without this engagement, the retail dealers cannot be supplied with copies of new books ; and that for a breach of this engagement they forfeit their tickets, and are cut off from any further dealings in new books with the publishers.

“ Having listened to very able arguments, having read everything which has come within our reach on either side, and having considered the subject very deliberately, we have unanimously come to the conclusion that these regulations are unreasonable and inexpedient.

“ We will now briefly state the grounds of our opinion.

“ Such regulations seem *prima facie* to be indefensible, and contrary to the freedom which ought to prevail in commercial transactions. Although the owner of property may put what price he pleases upon it when selling it, the condition that the purchaser, after the property has been transferred to him and he has paid the purchase-money, shall not resell it under a certain price, derogates from the rights of ownership, which, as purchaser, he has acquired.

“ It is obvious, likewise, that these regulations must, in practice, lead to vexatious inquiries and to fraudulent evasions. The alleged necessity for them supposes that there exists a strong inducement for the retail dealer to sell at a lower price than the *minimum* permitted by the publisher. Without a rigorous police in the trade, while the condition annexed to the sale is observed by the strictly honourable retailer, to the serious detriment of his business, it will be disregarded by the less scrupulous. Instances occur of retailers, detected in underselling, having been expelled from the association in a manner which must be very painful to their feelings and injurious to their interests ; and there is reason to believe that, notwithstanding a necessary system of espionage, others continue with impunity to dispose of new books on any terms which they consider remunerative.

“ The arrangement between the publishers and the retail booksellers is indeed said to be voluntary. We have been pressed by the fact that a vast majority of the retail booksellers have given in their adhesion to the association, and have expressed a willingness to remain under its rule.

But, although there be no employment of physical force or threats, which the law forbids, we doubt much whether this acquiescence may not, in a considerable degree, be ascribed to coercion. Without the 'ticket,' testifying that a retail bookseller is qualified to deal with the publishers, he cannot carry on his business as a vendor of new publications ; and the means by which he lives are taken from him. From many retail booksellers, now submitting to the association, we have had intimations that they would be happy to be released from it, and to carry on their business like tradesmen in other branches of industry. But even the entire unanimity of the retail booksellers would not be conclusive of the question ; for they may dread to be deprived of an artificial protection to which they have been long accustomed, although this be not essential to their permanent interests, although it may lull them into the habits of listlessness, and may be detrimental to the community.

“ Mr. William Longman, Mr. Murray, and other gentlemen, who with so much ingenuity have advocated the 'regulations,' admit that the burden of proof is upon them, and that they are bound to make out the book trade to be an exception to the rule that commerce is to be free. They have mentioned other trades, carried on at Manchester, Derby, and elsewhere, in which, for peculiar reasons, gentlemen of eminence and respectability are said to have prescribed similar regulations. As to these supposed parallel cases, we have not obtained any sufficiently authentic information to enable us to pronounce upon them, although we suspect that they would resolve themselves into a control exercised over agents, or a very reasonable refusal to deal with an individual who was making an unfair use of the article purchased. But when the supporters of the association go on to rely (as they have done very confidently) upon the etiquette of the bar, which fixes a *minimum* fee, less than which a barrister may not receive, we know that they are under a delusion. The remuneration of an English barrister is not matter of contract. The client presents to him a voluntary *honorarium*, for which the law gives no remedy. A *minimum* is fixed, otherwise the Attorney-General might be offered 2s. 6d. or 6d. But that *minimum* is one guinea ; and, if the plaintiff sues *in formâ pauperis*, he may, without paying any fee whatever, have the zealous assistance of the most distinguished leader in Westminster-hall.

“ The first peculiarity pointed out to us in the book trade is copyright ; and it has been argued that, as authors have protection, so ought those who circulate their works. The only protection given to authors is the protection which the law gives to property of every description. It has been decided by the most eminent judges that an author has at common law, and according to the eternal rules of justice, a property in what he writes, so that no one can print it or reprint it without his permission. The statutes which have been passed upon this subject, from the reign of Queen Anne to the reign of Queen Victoria, have been in abridgment of the rights of authors, giving them, by way of compensation, improved remedies when their property is invaded.

“ The next peculiarity pointed out in the book trade is, that the article asked for by a purchaser must be genuine, and must always be of

the same quality. But, although there be no competition as to the quality of this article, we do not perceive why there may not be a competition as to the price at which it may be sold. And here the competition is less dangerous to the purchaser, for he is in no danger of having spurious wares palmed upon him when attracted by lowness of price.

“Then we are reminded of the peculiarity, that the publisher names the price at which the book is to be sold to the customer (which may be considered the *maximum* price), whereas the manufacturer in other trades entirely leaves the price to be paid by the customer to be fixed by the retail dealer. Some complain of this proceeding of the publisher as a grievance. But, admitting the expediency of the publisher continuing to name a retail price at which the book is said to be published, this can only be as a guide, and cannot hinder the making of a fair bargain between the retail dealer and the customer. At present, by the rules of the association, the actual retail price may vary from the publishing price, so that it is not more than 10 per cent. less.

“The consideration that has weighed most with us is the peculiar mode in which in the book trade the wares to be disposed of are distributed. There is, no doubt, a great advantage to literature in the existence of respectable booksellers’ shops at reasonable distances in London, Edinburgh, and Dublin, and all provincial towns. By the exertions of these gentlemen a new work is made known more efficiently than by advertisements; and the opportunity of inspecting a copy of it on the counter no doubt often produces a purchase which might not otherwise have been thought of. We cannot but apprehend that, if the regulations in question are done away with, and unlimited competition permitted, the number of retail establishments in the united kingdom may be considerably diminished. But the existence of a larger number of retail establishments than is necessary to supply the commodity to the public has an evident tendency to raise the price to the consumer; and, according to all experience, the demand will increase as the price is diminished (though not perhaps to the extent contemplated by some of the more ardent opponents of the ‘regulations’). On the removal of an artificial protection in any department of industry some distress immediately follows; but the wholesome principles of commerce, when acted upon, ere long bring a remedy. And it may be hoped that competition and low prices, large sales and quick returns (perhaps the greater energy and activity which may be enforced), may eventually add to the prosperity of the book trade, and increase the profits of all concerned in it.

“Lastly, it has been contended before us, that though the works of celebrated writers might be advantageously circulated and sold without the ‘regulations,’ and the sale of such works be rather impeded by them, yet the works of unknown and second-rate writers, however useful and meritorious, could not, without a law against underselling, be ushered into the world. Even if this were so, we should still deny the justice of aiding dull men at the expense of men of genius; and, with a view to public improvement, we should doubt the expediency of checking the circulation of that which is most excellent, to encourage that which gives

less valuable information, and less exquisite pleasure. Moreover, we have reason to think that in many cases the 'regulations' cramp the circulation of works which have merit, without being popular. The demand being small the price would naturally decline, and at the reduced price there might still be a considerable number of purchasers. But, as the *minimum* price fixed by the publisher must be rigidly insisted upon, the sale is stopped, and the great bulk of the edition, after causing a large expense for warehouse room, goes to the trunkmakers.

"For these reasons we think that the attempt to establish the alleged exceptional nature of the commerce in books has failed, and that it ought to be no longer carried on under the present regulations. We neither intend to affirm, however, that excessive profits are received in any branch of the bookselling trade, nor do we impute blame to any class of individuals, although we consider that the system is faulty, and that the community would be sufferers by its continuance. We likewise wish it to be distinctly understood that our disapproval of the 'regulations' extends only to the pretension of the publishers to dictate the terms on which the retail bookseller shall deal in his own shop, and to the means employed for enforcing the prescribed *minimum* price which he is ordered to demand from his customers.

"These being abandoned, it seems, from the language of the resolution under which we act, that the association must be dissolved.

"One gentleman who addressed us asked us, in case we should condemn the existing regulations, to frame new ones under which the bookselling trade should be conducted.

"This we must wholly decline, as being beyond our undertaking, and beyond the powers conferred upon us. Perhaps the bookselling trade will have the best chance of flourishing without any special regulations of any sort. Let there be entire freedom in the transactions between the publishers and the retail booksellers, the publishers asking prices and making or refusing allowances as they please. Let them deal with every one (although unticketed) who brings money in his purse, or whose responsibility is undoubted; taking care not to encourage the long and renewed credits which are said under the existing system to have produced so much mischief. The publishers are not bound to trust any one whom they believe to be sacrificing his wares by reckless under-selling, or to be carrying on business without a profit sufficient for maintaining solvency. But let them not require any pledge from the retail dealer to whom they sell their books as to the price which he shall demand in reselling them. Thus, freedom of action, we hope, may lead to harmony and prosperity. We feel the most sincere respect and regard for the highly intellectual and honourable body of men who are engaged in the bookselling trade. As authors, we are deeply indebted to them for their valuable services; and we shall be amply rewarded for our labour and anxiety in this inquiry if we can contribute in any degree to their permanent welfare, upon which we are convinced that the cause of literature in this country must essentially depend."

Mr. LONGMAN said that, for himself and the gentlemen with whom he had acted, he begged to thank the noble and learned Lord, Dr. Milman,

and Mr. Grote for the kindness and attention with which they had listened to the arguments addressed to them, and for the very able opinion they had given on the subject.

MR. CHAPMAN, on the part of the opponents of the Booksellers' Association, also thanked the noble Lord and his co-arbiters for the time and attention they had devoted to the matter.

The deputations then retired.

(From *The Times* of May 21, 1852.)

The bookselling controversy has received its *quietus*. LORD CAMPBELL, in the name of himself and his colleagues, has delivered a judgment on the case before him which will suggest very few grounds for appeal. The particulars of this conclusion it will be quite unnecessary for us to repeat, not only because they were published at length in our impression of yesterday, but because the purport and even the language of the decision were anticipated in our own remarks of the day before. MR. W. LONGMAN may, perhaps, avail himself of the occasion to observe that by so carefully eschewing "all that appears in print" he is discarding what might prove to be useful information to him. With less self-confidence than our eminent publisher, LORD CAMPBELL, DR. MILMAN, and MR. GROTE "read everything which came within their reach," and the result has been shown in what MR. LONGMAN himself was fain to accept as a "very able opinion." In future he may possibly consider that a good deal which "appears in print" is worth the attention of those engaged in a public discussion.

Of course there could be but one decision in a controversy so transparent. With a view to conventional compliments to the motives and conduct of the amalgamated publishers, LORD CAMPBELL plainly pronounced that "the attempt to establish the exceptional nature of the commerce in books" had altogether failed; that the regulations of the Association were "unreasonable and inexperienced"; that they ought to be maintained no longer, and that the Booksellers' Inquisition should be forthwith dissolved. It scarcely needed a formal analysis of such arguments as those of the Association to convict them of utter unsoundness. There was a self-evident absurdity in the allegation that the sale of books could be diminished by a diminution in their price, and yet beyond this allegation the confederated publishers had really nothing to advance. Not only were their principles false, but their attempt was impracticable. They did not secure any uniformity in the price of books, they did not create any rapid distribution of new publications, but they did contrive to engender a great deal of ill-blood, and to manufacture such a system as ensured its own conviction as soon as it was exposed.

It is hardly worth while to renew the investigation of an exploded protectionism, but we desire once more to indicate the fallacy which we

conceive to have been at the root of the evil, and the more so as this was the single point which LORD CAMPBELL and his assessors omitted to notice. This fallacy is the publishers' assumption that the "publication" price of a book is *their own* price—the price, in fact, which the purchaser ought properly to pay, and from which any reduction can be made by their indulgence only. This delusion or equivocation pervaded the whole of their arguments. Mr. MURRAY observed that if the retailers chose to take less than the 30 per cent. profit at present "allowed" them, it would be so much the better for the wholesale producers, who would pocket the difference. Mr. W. LONGMAN innocently suggested that perhaps a decrease of this statutable "allowance" would furnish the best adjustment of the controversy. The entire case was represented as turning on the reduction made by one branch of the trade in special favour of the other, and the whole question was more than once described as a booksellers' question exclusively—one, in short, with which the general public had no kind of concern. The "publication price" of a book, according to these views, was the true price—the price which the consumer ought to pay, the particular rate of discount obtainable by the retailer being clearly, therefore, of no consequence at all. This assumption is wholly indefensible.

Beyond doubt, the joint producers of a book—the author and publisher—may agree to fix whatever price they please on their manufacture, without respect to the costs actually incurred. If these costs amount in fair reckoning to 15s., the proprietors of the publication may settle its market price not only at one sovereign, but at five, or ten, if they so please. But what the reader should understand is that this overplus charge, the division of which had been so controverted, is a charge imposed *after* all these arrangements have been made without any reference whatever to the property, so to speak, of the publication, and with a view to its distribution only. The author has no concern or participation in the matter at all. There is a particular price affixed to his work, which is so computed as to include his fair remuneration and all other ascertainable expenses of the production. Author and publisher provide their respective recompenses in determining this sum, and there is also a further and distinct provision for the publisher in respect of his strict and proper capacity of issuing or uttering the work. Now, to the "trade price" thus constituted an addition of 33 per cent. must be made to give the "publication price," and for the publisher to pretend that *this* price pertains to *him* is a monstrous wrong. He could only demand it by a most prodigious act of extortion against the public and an equal exercise of injustice towards the author. It is never taken into consideration in his reckonings with the author, but is always represented as an expense inseparable from the distribution of the book. To assume

that the publisher would be entitled to this price in his own proper person if he did not make "a reduction *in favour*" of the retailer, is utterly preposterous. His only justification for announcing at all a price so greatly beyond the remunerative figure is that he may have wherewithal to satisfy those whose remuneration must be cared for in addition to his own. He makes no "reduction in their favour at all." He retains every sixpence of the profit to which he is properly entitled, and merely gives them the benefit of a nominal assessment, which leaves a margin for their satisfaction over and above the consideration which they actually pay. We think it quite clear that it will be greatly for the advantage of literature when this overplus charge is discarded from publishers' reckonings altogether. It is evidently the source of very great and general ill-feeling between these gentlemen and their "authors," who, as appears in every page of Mr. PARKER's pamphlet, are disgusted at the difference between the price paid by the purchaser of their works and that accounted for to themselves. To LORD CAMPBELL's plain recommendation of "entire freedom of transactions" between the two branches of trade, we would simply add the suggestion that every publisher's concern with a book should terminate absolutely with its delivery, at the trade or *author's* price, to the retail dealer.

In conclusion, we confidently hope that the discussion may be permanently advantageous to both writers and readers at large. Mr. GLADSTONE most truly said that the state of the bookselling trade was a disgrace to the community. Nothing in the markets of the universe is so extravagantly dear as a British-made book, whether contrasted with other productions of labour at home or with similar productions abroad. With a large educated population, an inquisitive tone of society, and a general desire for knowledge, the most uncommon article of private purchase is a new book, and the commodity most certain to be procurable at a depreciated rate is a publication of credit and renown. The truth is that scarcely any degree of success can maintain prices so hugely artificial. When one-third of a book's nominal charge has been gratuitously added to its true cost, an appendage so preposterous is sure to be unsafe; and a collapse, which is merely the consequence of unnatural inflation, acquires the appearance of formal disparagement, to the prejudice of readers and writers together. Readers only get access to a publication when its conviction seems to have been pronounced; and writers, who see the price demanded from the public, and know the price accounted for to themselves, are scandalized and discouraged by the operation of an enormous charge combined with a miserable return.

It would scarcely be fair to quit the subject without a tribute of public acknowledgment to those individuals who at some personal risk encountered the unscrupulous coercion of the "Association" and secured

freedom of trade to all followers of their craft. LORD CAMPBELL, we observe, confirmed, as from his own knowledge, the suspicions we had expressed respecting the alleged "unanimity" of the profession. Many felt secretly oppressed by the restrictions of the system, but few only ventured to protest. It is natural enough that consideration should be claimed for those uncertain ventures, but it would be a wiser and more serviceable proceeding to forget the past altogether, and to place the trade upon a system which will give authors and booksellers a better source of profit in a larger sale of books.

(From *The Times* of May 29, 1852.)

Yesterday morning a general meeting of the members of the Booksellers' Association was held in the lower room at Exeter-hall to receive a report from the committee on the subject of the late conference between the committee and Lord Campbell, Dr. Milman, and Mr. Grote, and for the general purposes of the association. The meeting was open to all booksellers who applied for admission, and the attendance was very numerous, the room being completely crowded. Among the leading members of the committee present we observed Messrs. J. Murray, Hatchard, Bohn, R. B. Seeley, and Rivington. Mr. W. Longman, president of the association, took the chair shortly before 11 o'clock.

An objection was taken by a Mr. EARL to the presence of reporters, but his proposal for their exclusion did not obtain any support.

The following report was read by Mr. S. Low, the secretary :—

" Report of the Committee of Publishers and Booksellers elected at the meeting of the members of the Booksellers' Association, held pursuant to public advertisement on placard in the lower room, Exeter-hall, on the 14th of July, 1851.

" Subsequently to the meeting of the members of this association in July last the attention of the committee was chiefly directed to the settlement of points on which there was variation of practice on an equitable footing to all parties ; and after many conferences with those more immediately interested, rules on the subject of the allowance to clergymen, and also on that to schools and teachers, were adopted, which rules were finally, at a general meeting of the committee, unanimously agreed to.

" Proceeding to deal steadily with these and other undecided questions which were felt to be unfair, and receiving both from the London and country trade the most cordial support, the committee was led to entertain the hope that the report for the present year would be of a most satisfactory character.

" But the unsuccessful working of the association soon produced a result which, however it might be lamented, could excite no surprise. Those booksellers who, as known undersellers, had been refused books by the wholesale houses, applied to several eminent authors in the light of aggrieved complainants ; thus a discussion commenced which threatened results so serious as to compel your committee at last to propose a

reference of the whole question to certain distinguished members of the literary world, by whose decision your committee pledged itself to abide. In this pledge it will be obvious that none but the committee will be included, nor will its members, as individuals, be prevented from taking part in any ulterior deliberations that may be thought desirable.

“ At a special meeting of the general committee held April 1, 1852—present 16 out of the whole 19 members, the following resolution was unanimously adopted :—

“ ‘ That a conference be invited between Lord Campbell and certain members of the booksellers’ trade, for the purpose of deciding whether the Booksellers’ Association shall be carried on under its present regulations or not, it being understood that the decision of Lord Campbell and the other literary gentlemen shall be binding on the committee, who agree, if the decision be adverse, to convene the trade and resign their functions.’

“ Replies accepting the invitation were received from Lord Campbell, the Very Rev. Dean Milman, and Mr. George Grote ; and the first meeting of the conference was held at Stratheden-house on the 13th of April, at which meeting the gentlemen above-named were met by a numerous deputation of the London and provincial committees, who severally explained the nature of the trade regulations, and urged the necessity of their existence and support of the same.

“ At the conclusion Lord Campbell said he should be happy to meet the gentlemen again upon an early day, when he hoped those who opposed the trade regulations would also attend to state their case.

“ Subsequently the second meeting was fixed for Monday, the 17th of May, on which occasion the same deputations attended, and also the opponents, and after a patient hearing of nearly three hours Lord Campbell stated that he and the gentlemen with him would be prepared to deliver their opinion on the following Wednesday.”

[The report then gave the opinion of Lord Campbell, Dr. Milman, and Mr. Grote, delivered by the noble and learned lord on the 19th inst.]

“ The committee, however it regrets the decision come to by these gentlemen, and however it may deplore the results which it anticipates may ensue, have no alternative but to resign its functions, agreeably to the resolution of the 8th of April, and it will now consequently rest with the trade itself to determine if any ulterior measures are necessary, and of what character those measures should be.

“ In the peculiar position in which the committee finds itself placed, it does not feel it expedient to accompany its resignation by the suggestion of any definite course of action. The whole body of the trade, however, now assembled is, of course, free to adopt any measures it shall deem expedient.”

The CHAIRMAN observed, that the members of the committee, deeply impressed with the responsibility of the position in which they had been placed, had endeavoured, to the utmost of their power, to carry out the objects of the association, and he believed their very success had been the cause of their downfall. The members of the association, as a body, had so conscientiously fulfilled the pledges into which they had entered, that

those booksellers who were not members of the society felt the great disadvantage of the position in which they were placed, and found it necessary to take some decisive step to prevent the destruction of their business. They applied to certain authors, and among others to Lord Campbell. That noble and learned lord hesitated to pronounce an opinion upon the question until he had received full information as to the facts. The question became a public one, and the committee of the association, feeling it desirable that the matter should be settled, requested Lord Campbell, Dr. Milman, and Mr. Grote to consider the subject and to give an opinion upon it, the committee pledging themselves to abide by the decision of those gentlemen. The members were aware what the decision of the noble lord and his co-arbiters was, and it now became his duty, as chairman of the association, along with the members of the committee, to resign the office which had been entrusted to them by the society. He could assure them that the committee could not, without feelings of considerable regret, see the destruction of a system upon which the bookselling trade had been conducted for so many years. (Hear, hear.) He could only hope that, under new arrangements which it might be possible to form, the trade of book merchants and of book retailers might still be carried on with success, and that those who had been the most opposed to the association would find that it was no longer their interest to separate themselves from the main body of the trade. All he had now to do was to thank the meeting for the kindness with which they had listened to him, and to resign his functions. (Hear, hear.)

Mr. Longman then left the chair, to which Mr. T. Hatchard was called.

In reply to a question from Mr. RICHARDSON,

Mr. LONGMAN said that he was certainly not prepared to accept office again. It was for the meeting, of course, to determine whether the association should be continued or not.

Mr. MABERLY then moved—

“That the thanks of this meeting be given to the members of the late committee for their sedulous attention to the conduct of the association during the past year, and for their earnest endeavour to maintain the system of uniform prices.”

He expressed his belief that it would be impossible to establish another association on the same principles as the present one. He thought the trade should now endeavour to increase their profits by curtailing credit to their customers, by endeavouring as far as possible to do without stock, and by reducing or discontinuing the allowances which had hitherto been made to clergymen, schoolmasters, and others.

Mr. BELL seconded the motion.

Mr. J. CHAPMAN said, that although he certainly differed from the committee with regard to the principles on which they had proceeded, he still considered that they had acted on the whole with great vigour and conscientiousness. He proceeded to explain the circumstances connected with his selling American publications at reduced prices, which led to his withdrawal from the association, and expressed his opinion that the rules of the society were not intended to apply to foreign books.

The motion was then put by the CHAIRMAN, and was unanimously adopted.

Mr. SEELEY, in returning thanks for the committee, said, that although they had been beaten, they were now more than ever convinced of the justice of their cause. (Hear, hear.) They were well aware that it would be impossible to select gentlemen of higher honour or of greater intelligence than the arbitrators to whom their case had been submitted; and the only cause to which they could attribute their defeat was this—that what was intended to be a conference turned out to be something quite different. The committee thought they were going before three or four gentlemen who would hear what they had to say, and who would discuss the matter in conversation. It might, perhaps, have arisen from the judicial habits of the Lord Chief Justice, but the fact was that in lieu of a conference they had a judicial hearing. During the whole of the discussion they never got even the least notion of what was passing in the minds of the judges. If the arbitrators had conferred with the committee, and had told them how the question presented itself to their minds, the committee would have known better how to act. The very question which the committee handed in on paper to the noble lord and his colleagues, as the question for their decision, was scarcely alluded to in the judgment. Indeed, the decision seemed rather to have arisen from reading a review in a newspaper than from anything actually said before the arbitrators. Another reason of the failure of the committee was that, although nothing could exceed the intelligence and the honour of the gentlemen who acted as arbitrators, it was impossible not to perceive that they were all possessed with a sort of popular, vague, and general—and in this case unjust—notion of what was called free trade. (Hear, hear.) The committee endeavoured to urge upon the arbitrators that there should be freedom on both sides of a bargain, and that if the retailer was at liberty to sell a book, when he had bought it, for what price he pleased, the publisher was equally entitled to say to the retailer, “If you depreciate the value of my books I won’t sell you any more.” That principle was, in fact, the basis of all the regulations adopted by the association; but Lord Campbell considered that such a system was a derogation of the rights of purchasers. He (Mr. Seeley) would advise the meeting to concur in the views of the committee, and to abandon the idea of any coercive or restrictive system; but at the same time he thought the trade would be regardless of their own interests if they did not consult as to the system upon which the bookselling business was in future to be carried on. His own opinion was that some alteration of the allowances would be desirable.

Mr. BIGGS moved the following resolution:—

“That the thanks of the retail booksellers now assembled be presented to Messrs. W. Longman, John Murray, and the other gentlemen forming the deputation to Lord Campbell for the zealous and able manner in which on that occasion they advocated the interests of the bookselling trade.”

He greatly regretted the decision of Lord Campbell on this subject; and although the judgment or opinion of that noble and learned Lord was

entitled to the highest consideration, he thought it would have had far greater weight if the noble Lord had not annexed to it the reasons upon which it was founded. (A laugh.) It was, he thought, a fatal circumstance for the booksellers that a large majority of authors was against them. He believed the authors had been influenced by misrepresentation and by a mistaken view of their own interests ; but he considered that so long as they were opposed to the booksellers it would be utterly impossible to continue the regulations. The opinions of a hundred authors upon this question had been circulated by Mr. Parker, and of that number no less than 56 openly avowed that they were solely guided in giving an opinion by their own interest, for they conceived that if the allowance of the retail booksellers was reduced they (the authors) would be benefited. He believed that, although under the altered system the retailers and publishers might both suffer, the result would be a considerable reduction in the number of works published, and the main injury would eventually fall upon the authors. (Hear.) This might not be a matter of importance to Lord Campbell or Mr. Macaulay, or authors whose reputation was established, but it would materially affect second-rate or unknown authors. He (Mr. Biggs) thought, indeed, that, if there was any point on which Lord Campbell's judgment deserved condemnation, it was with reference to the unfeeling and improper manner in which he spoke of authors who were unknown. The noble Lord seemed to think that authors who had established their reputation could do without the retail booksellers, and to care nothing for the interests of unknown authors. He (Mr. Biggs) thought the only course now to be adopted was to dissolve the association and embark in a system of competition, though he did not think the undersellers themselves had either desired or expected such a result. (Hear.)

Mr. E. WILSON, in seconding the motion, said he demurred entirely to Lord Campbell's judgment. What did Lord Campbell or Mr. Grote, or Dr. Milman, or even *The Times* newspaper, know about the practical operation of the bookselling trade ? (Hear.) For his own part he thought the booksellers were quite competent to conduct their own affairs.

The resolution, having been unanimously agreed to, was briefly acknowledged by Mr. LONGMAN.

Mr. OAKEY then moved :—

“ That the Booksellers' Association, as a protective institution, be forthwith dissolved.”

He considered that the members of the association were bound by the pledge of the committee to dissolve the society. (Cries of “ No, no.”) Well, that he thought would be the opinion of the public, who would expect that, as honourable men, they should act upon the engagement of the committee. He believed it was now their interest, as well as their duty, as honourable men, to give up the protective system and to establish free trade in books. (Hisses and cheers.) He considered that, when he sold a man a book, he parted with it absolutely, and had no right to require from the purchaser any condition as to its future sale. On a former occasion the case of manufacturers of cotton and calico had been mentioned, but he would ask whether those manufacturers ever combined to

put some one man out of the pale of the trade because he sold his goods at a lower price than the manufacturer had proved? ("Hear, hear," and "Oh.") He believed it was for the interests of the retail booksellers that the restrictive system should be given up. (Cries of "No, no.") Such numerous allowances were made by retail booksellers to clergymen, schoolmasters, and other persons that he denied that there was really any fixed price of books. He believed that the restrictions which had hitherto existed in the trade had been very injurious and that as soon as they were removed the trade would assume a more healthy condition.

Mr. SPONG having seconded the motion,

A long and animated discussion took place, which occupied more than two hours, and during which very conflicting opinions were expressed by the gentlemen who addressed the meeting as to the propriety of dissolving the association. In the course of the debate,

Mr. LONGMAN said that, whatever might be the decision of the meeting upon the motion before them, he felt, as an individual, pledged and bound in honour to retire from the association. After the expression of public opinion which had taken place he did not hesitate to say that it would be impossible to carry on the association. He hoped, therefore, that the meeting would agree to its dissolution, and they might then consider what they should do for the future.

Mr. Hatchard having been compelled by engagements to leave the meeting, the chair was taken by

Mr. RIVINGTON, who said that he felt bound in honour to follow the example of Mr. Longman and to withdraw entirely from the association. The great practical question for their consideration was what should be done for the future; and he must say he thought the only way of cutting the ground from beneath the undersellers was by remodelling in some manner the arrangements which had been so long in existence and which had worked so satisfactorily. In the course of his remarks Mr. Rivington observed that he considered that the private arrangements of the trade had, in the discussions on this subject, been most tyrannically, unfairly, and improperly brought before the public.

Mr. MURRAY said he was much gratified to see so large a meeting of the retail booksellers, for it afforded a contradiction to the misrepresentation which had been put forth that the retailers acted under the coercion of the publishers. Now was that the case? (Cries of "No, no," and cheers.) He hoped this fact would be conveyed to the Editor of *The Times*. He had hitherto supposed that in what was called public opinion there was some spice of justice; but he appealed to the meeting whether the booksellers had not been very unfairly used on all sides. (Hear, hear.) He was sorry to say that the public was not a fair judge where its own pocket was concerned (a laugh), and that was the whole secret. It might be necessary that this association should be dissolved, but he strongly urged the members of the trade to remember the maxim that "union is strength." He feared that the present state of things must be a reduction of allowances; but he believed the undersellers would eventually get a dose out of their own bottle, for when all the booksellers began to undersell he had no doubt the Leicester-square monopolists

would soon cry "Hold! enough!" There had of late been a great outcry about the price of books; and he regretted that a gentleman of high position (Mr. Gladstone) had, in his place in Parliament, termed the bookselling trade a monopoly, and had applied to the persons engaged in that trade language which they did not deserve. But if the bookselling trade were a monopoly, were not the authors partners in it? And surely Mr. Gladstone, who was himself an author, knew that fact perfectly well. ("Hear," and a laugh.) He might state that, in consequence of Mr. Gladstone's speech, he had referred to his books, and he found that since the beginning of 1848—within a period of little more than four years—he had paid to authors £40,000. (Hear.) They had heard a great deal about the trade, but would any person pretend to say that there was no competition among publishers? Why, one-half the works now issued were published at the price of 10s. or under; and there was no trade, except perhaps the cotton trade, in which there had been a greater reduction of prices. He admitted the necessity of competition, and was quite ready to engage in it; but what was the impediment? It was that they had not in England a sufficient market for books. Let education be extended, and a demand for books be thus created, and then there would be competition enough.

Mr. LONGMAN stated with reference to observations which fell from several gentlemen who addressed the meeting that, if it were determined to continue the association, the only course he could take would be to withdraw from it. He had serious doubts, also, whether the establishment of another association was desirable; for what was the use of an association without power to compel adherence to its rules? (Hear, hear.) They might, it was true, have a booksellers' club to advise the trade, but that would be an entirely different thing from a trade association.

Mr. BOHN considered that the most advisable course would be to dissolve the association unconditionally. His own opinion was that the best plan would be to leave the trade for a time to find its own level.

The words "as a protective institution" having been omitted from the motion, with the consent of the mover and seconder, it was put to the meeting and carried, there being not more than half-a-dozen dissentients.

Mr. SEELEY then proposed the following motion;—

"That the question of the system to be in future adopted for the regulation of the trade be referred to the following gentlemen, namely;—Mr. Longman, Mr. Murray, Mr. Hatchard, Mr. Colburn, Mr. Bentley, Mr. Smith, Mr. J. Miles, Mr. Gilbert, Mr. J. Mills, Mr. Rivington, Mr. J. W. Parker, Mr. Nisbet, Mr. Seeley, Mr. Shaw, Mr. Bain, Mr. Walton, Mr. Moxon, Mr. Dalton, Mr. Highley, Mr. Bigg, Mr. J. W. Parker, Mr. Blackwood, Mr. Bohn, and Mr. Nutt."

The motion was seconded by Mr. BOHN, and was unanimously adopted.

A vote of thanks was then passed to the Chairman, and the proceedings terminated at 3 o'clock.

(From *The Times* of May 31, 1852.)

The Booksellers' Association was a trade union formed for the purpose of preventing the supply of books by wholesale publishers to any retail dealers but those who undertook to make a fixed rate of profit. Its operations having created complaints, and complaints having generated opposition, the principles of the system were submitted to the judgment of LORD CAMPBELL and others, by whose decision it was agreed to abide. LORD CAMPBELL pronounced, without reserve or misgiving, against the doctrines and practice of the Association, so that the question was brought by consent to a final and visible issue. On Friday morning, however, when the members of the union assembled in force to receive the report of their committee on these transactions, a considerable inclination was evinced to escape the consequences of the appeal. That some soreness should be felt on the occasion was no more than natural. Such highly practical views as those entertained by the members of the Association were not likely to be surrendered without repining. For years they have enforced their own opinions on others by resolute coercion, and it could not be very satisfactory to record a condemnation of their own proceedings at the same time that they relinquished the protection of an artificial tariff. As common sense prevailed in the end, and as the meeting recognized not only the propriety of supporting its own committee, but the necessity of foregoing pretensions which had become impossible, we should not revert to a controversy already closed except for certain expressions of feeling which suggest some corrective notice. Mr. SEELEY declared that the committee, "though beaten, was more than ever convinced of the justice of its cause"; and intimated that judgment went against them rather through the mode of procedure than by the merits of the case. Mr. BIGGS thought that LORD CAMPBELL had invalidated his decision by the reasons on which he professed to ground it. Mr. RIVINGTON considered that "the private arrangements of the trade had, in the discussions on this subject, been most tyrannically, unfairly, and improperly brought before the public." Mr. MURRAY "had hitherto supposed that in what was called public opinion there was some spice of justice, but he put it to the meeting "whether the booksellers had not been unfairly used on all sides." As for Mr. E. WILSON, he "entirely demurred to LORD CAMPBELL's judgment, for what did LORD CAMPBELL, or Mr. GROTE, or Dr. MILMAN, or even *The Times* newspaper, know about the practical operation of the "bookselling trade?" To this pointed interrogatory, we can only reply that our knowledge was, at any rate, thought sufficient for the decision of the question before it was known what form our opinions might take. We speak inclusively of ourselves in this matter, because the controversy was really forced upon our attention as practically as upon that of LORD

CAMPBELL and his colleagues. We have received communications and appeals not only from the principal members of the Association and the chief of their opponents, but from a prodigious number of independent correspondents, and we have given the subject a most impartial consideration. We now feel that the interests of the public may be materially damaged if any impression is entertained that less or more than justice has been done, and we invite attention, therefore, to the remonstrances of the unsuccessful litigants.

To the exceptions against the mode of procedure we can attach no weight whatever. Mr. SEELEY says, that whereas "a conference" was expected by the Association, they obtained only a "judicial hearing." We do not exactly comprehend the distinction here implied, but, whatever may be its value, it appears to us that the "hearing" took no other form but that which the Association gave to it. They selected their own arbitrator, they pleaded their own cause, they made any suggestions they pleased, they brought forward all their own arguments at their own time by the mouths of their own speakers, and it was not until they acknowledged that there was no more to be said that LORD CAMPBELL delivered his judgment. Mr. SEELEY appears to intimate that if the committee could have detected the arbitrators' course of thought they could have influenced the conclusion; but why, in this case, did he not bring forward at the meeting the arguments by which such a result could have been secured? Why did not our eminent publishers, instead of loosely depreciating the decision of their own umpire, allege their reasons for considering this decision unsound? If Mr. SEELEY did not know "what was passing in the judges' minds" in time enough to control their thoughts, he at any rate knows it now, and he had the fairest possible opportunity of explaining the arguments by which he would have averted the conclusion. If LORD CAMPBELL omitted to take any circumstances into consideration, pray what were they?

Mr. MURRAY's charge of injustice is too general to be met by anything but a similar denial; and it required, indeed, some boldness to advance it while the transactions referred to were so fresh in the public mind. How or where can the booksellers have been "unfairly used"? They had formed an association of their own for their own purposes; its practices were denounced by members of their own trade; they voluntarily selected an umpire, by whose decision they promised to abide, and, after stating all they wished to state in self-defence, they lost their cause. Who used the booksellers unfairly? Not the complainants, for they were not only the weaker party, but have fairly justified their views. Not the arbitrators, for they delivered only the judgment which was asked for; and surely not the public, whose instinctive conclusions did but coincide with what the booksellers' own judge has declared to

be the rights of the question. We trust the views of our respected fellow-citizen touching "public opinion" will not be injuriously affected by his present experience of its force; and we are sure, indeed, that on a little reflection so sensible a man as Mr. MURRAY will see that the Booksellers' Association had better drop the question of "justice" altogether. If much more is said upon this point the public may be disposed to remember that for years past a powerful trade combination has been enforcing by unscrupulous coercion, to the damage of literature and the loss of the consumer, a system of business which has now been formally condemned. If there are any persons who have been "unfairly used," they are certainly not those who have at length been quietly assured, on authority of their own selecting, that they have hitherto been practising injustice.

The publishers, being wholesale dealers in books, have professed to consider it for the advantage of retail dealers, authors, and the public at large, that they should fix the rate at which books should be distributed to the consumer. This assumption was first impeached by retail dealers themselves, and, as we now learn, to an extent much more considerable than appeared. In point of fact, a great number of retailers objected to these restrictions without having the means to remonstrate. The "authors'" view of the question has been expressed with such plainness as to be "fatal to the booksellers," even in their own opinion, and that the conclusion of the public has gone against them is actually made a matter of querulous remark. When all the parties in whose interests Mr. MURRAY supposed he was acting demurred to the fact, he appealed to an arbitrator of his own choice, and this arbitrator confirmed the views of the remonstrant retailers, the authors, and the public. With what show of reason, then, can he possibly complain of injustice or unfairness?

Mr. RIVINGTON considers that there was something "tyrannical" in publishing to the world the fact that retail booksellers were liable to be deprived of their livelihood and reduced to beggary if they contented themselves with less than a fixed rate of profit on their sales. In the same way Mr. GLADSTONE might have been described as "tyrannical" for telling how POERIO was used by the Neapolitan gaolers. Some people will fancy the "tyranny" was rather on the other side; but when Mr. RIVINGTON speaks of the "privacy of trade arrangements" as invaded by discussion, he forgets that these "arrangements" involve the very points in dispute. The publishers, after providing for all the fair costs of a book's production, coolly added a charge of 33 per cent. to be dealt with by themselves, and then described the disposal of this surplus as a "private arrangement" of the trade. We are really unwilling, however, to protract a controversy which can only end in aggravated exposure for those who will not permit it to sleep. We trust the book-

sellers of the Association will respect their own characters too much, and discern their own interests too well, to revive under any colourable disguise a system which they have bound themselves to discontinue ; and, though Mr. W. LONGMAN, with an unlucky predilection for Mr. W. NEWTON'S phraseology, talked of " advising the trade " by the agency of a club, we are ready to hope better counsels from his second thoughts. Let the publishers, like all other wholesale dealers, sell their goods at the wholesale price, and leave the retailers to do business for themselves. The " regulation of the trade " reserved for consideration requires nothing beyond this simple rule.

(From *The Times* of June 11, 1852.)

We regret to learn that the booksellers' controversy, if not actually maintained in its original vigour, has at any rate not been succeeded by those proceedings of conciliation or peace which were to be expected and desired. In pursuance of the judgment delivered at Stratheden-house the " Booksellers' Association " was to be dissolved, and with the extinction of this organized inquisition all coercive agencies were removed from the trade. We must presume that the publishers who took so prominent a part in the discussion have acted faithfully upon their pledge of abiding by Lord CAMPBELL'S arbitration, and that the principle of interfering with the business of retail dealers has been fairly abandoned. Thus far, therefore, the chief grievances have disappeared, and the road has been opened to well considered reforms ; but it is obvious that the non-suited parties are extremely ill-satisfied, and are more desirous of reviving their system under another name than of acquiescing in the deliberate opinion of their own selected arbitrator. We have been anxious to give every possible consideration to the interests of a trade with which the progress of literature and education is so closely connected, and we are still prepared to listen to any representations which can be reasonably urged. We should be even disposed to forego the fair rights of argument and to refrain from insisting upon the absolute closing of the case if any cause could be shown for presuming an error. But no such grounds have been produced. The malcontents and remonstrants have not advanced a single argument which was not duly considered and rejected in the court of their own choice. Whatever was to be said for their system, they said at their own time, by their own speakers, and before their own judges. It would be irregular enough to reopen a case thus dismissed, even if new evidence had been discovered, but to impeach the sentence and obstruct the course of law without any other justification than private pique is a line of conduct plainly unbecoming, and tolerably sure to be prejudicial.

We have asked before, and we now ask again, what are the considerations, if any, which were left out of the account in conducting the controversy? As respects all the arguments which were produced, we are sure that we give utterance to the universal opinion of the public when we say that they were absolutely and conclusively disposed of by Lord CAMPBELL and his assessors. What is it, then, which is left behind? Among the infinite variety of communications which this question has occasioned, we received a letter from a well-known Oxford publisher informing us that a "fallacy" pervaded all our articles, and that we had "entirely overlooked one or two material parts of the system." These remarks, from so respectable a quarter, arrested our attention, and we perused the remainder of the epistle with considerable interest in expectation of coming upon some wholly new views. To our disappointment, however, we discovered that the "material points" which had been described as "overlooked" referred to nothing but the credit given by booksellers to their customers, the practical curtailment of the "33 per cent." profit by various drawbacks and the consequent "impossibility" of doing business with less margin.

It is really surprising to us how men who must necessarily be possessed of more than common intelligence can so mistake the question before the public as to advance arguments like this. In the first place, seeing that booksellers *did* live upon less profit, and were, moreover, so resolutely bent upon the performance of this "impossibility" that all the unscrupulous tyranny of an organized association was required to check them in the practice, it is nothing short of manifest absurdity to represent the existing "allowances" as admitting of no possible reduction. With what face can it be maintained that no bookseller can subsist under less than the present trade prices, when the whole controversy has arisen from the fact that certain members of the trade persisted in doing so? But this, though plainly conclusive of the whole question, is not the real point at issue. Nobody desires that booksellers either at Oxford or elsewhere should be restricted in their particular ideas of profit or their general views of their own business. On the contrary, the very gist of Lord CAMPBELL's decision is to leave every tradesman a free agent; and to remit the rates of charge and profit to those conditions of credit, circumstance, or locality by which the character of all trade is determined. What is demanded is that the publisher, or wholesale dealer, in delivering his publications to the retailer at that fair wholesale price which the joint producers have agreed upon, shall abstain from any manner of interference with the retailers' subsequent dealings. Nothing more is required than that publishers should dispose of books to booksellers on the same terms and in the same way that all wholesale dealers sell wares to be sold again. The charges of distribution pertained to the distributors,

and should be left to them exclusively. Competition on one side, and necessary expenses on the other, will always secure in this as in all other trades as much general uniformity of price as it is desirable to maintain. No reason has ever been shown why a book might not vary in price as freely as a pair of kid gloves, or a pound of beef, or a silk umbrella. In point of fact, it does so vary at this moment. Even the "association" itself recognized one price to special trades, another for book societies, a third for credit, and a fourth for cash; and if to these variations be added those arising from private bargains, it will be seen that the alleged "uniformity" of a book's cost had no real existence. Nothing, indeed, could so directly militate against such uniformity as the imposition of an artificial price large enough to admit of a dozen modifications, according to the views or position of the dealer.

For the benefit of the malcontents we can put the case in a very few words. There is only one argument to which the public will attend. If there is any reason why the distribution of books should not be left to the absolute discretion of the retailers, let it be shown. Nothing has yet been alleged to warrant the interference of the publishers in a branch of the trade beyond their concern. If it is really the fact that the circumstances of the book trade, as a general rule, will compel the retailer to ask the same prices as at present, we shall find the result accordingly, and matters will be kept in their present position by the operation of natural laws instead of the coercion of a trade union. If, on the other hand, distributors can make a living on less profits, the public are entitled to the benefit, for it is utterly preposterous to expect that any members of any trade can be protected in the receipt of artificial prices at the public cost. In all probability the consequences will not be wholly either one way or the other. Booksellers who give long credit, or who live at long distances from London, or who, from any exceptional circumstances, are put to unusual expense in their establishments, will bring such matters to account in their charges. Those, on the other hand, who do a cash business, or who can manage, in one way or the other, to curtail their outgoings, will be content with lower rates of profit, and the difference in customers will be suited, as in other trades, by the difference in shops. Mr. MURRAY ventured to assert at a booksellers' meeting that "the public were not fair judges of a case where their own pockets were concerned." Mr. BOOKER and Mr. CHOWLER have said exactly the same thing; but, with every deference to these eminent and truly consistent Protectionists, we must express ourselves of a totally opposite opinion. There is no better judge than the public at large, and though it undoubtedly leans to what an exalted Protectionist termed "an absurd mania for cheapness," it is seldom unreasonable in its desires. We Englishmen are a "nation of shopkeepers," so far at any rate as to know

what it costs to keep shop. Nobody expects that books, any more than other commodities, can be retailed without such an advance on the wholesale price as shall provide a profit for the retailer, but everybody expects and demands that retailers shall be left to themselves, and shall not be driven by trade combinations to ask a larger profit than they desire.

(From *The Times* of June 12, 1852.)

TO THE EDITOR OF THE TIMES.

Sir,—Observing your remarks on the bookselling trade in *The Times* of this day, I think it expedient that you should have before you the resolutions proposed by Mr. Thomas Longman, and passed unanimously at a meeting of the principal publishers of Saturday last :—

“ 1. That the meeting declare that they have no intention of taking any steps to control the dealings of the retail booksellers with the public.

“ 2. That this meeting consider it probable that it may be expedient before long to reduce the retail prices and trade allowances on some books already published, and the rate at which new books may in future be published.

“ 3. This meeting are not prepared at present to recommend and put in force the second resolution.”

I unwillingly intrude myself on the public, and trust that as the question now appears to be set at rest, we may receive that valuable support from the public press which is so important to all concerned in the publication of books.

I am, Sir, your obedient servant,

BEVIS E. GREEN, Chairman of the Meeting.

39, Paternoster-row, June 11.

(From *The Times* of June 16, 1852.)

TO THE EDITOR OF THE TIMES.

Sir,—Your leading article on this subject in *The Times* of yesterday is, on the whole, an able and fair summary of the subject ; but you still assume that the usual profit of the retail booksellers is 33 per cent., which is not the fact—it is only 25 per cent. This error is calculated to do serious injury to a large and deserving class of poor men by leading the public to expect a larger discount than it is possible for them to give if they are still to have an honest living profit. I therefore call upon you, on your acknowledged principle of allowing the facts on both sides to appear in your columns, to allow this fact to be stated. I, for one, have never objected to a fair discount for cash, and most other booksellers have long adopted this practice. What I objected to, and still think wrong in principle, is that a dealer in secondhand books should select some popular new book and advertise it at the trade cost price to the public as a decoy duck to bring customers to his shop ; thereby injuring the property of the publisher and the author in the remaining copies of the book so selected. This

practice I consider as unfair, and scarcely honest ; and it was to put this down that I supported the association as the only means of doing so. That is now abandoned, and every man is at liberty to sell at what price he thinks best for his own interest. But your articles leading the public to believe that the retailer has a margin of one-third, instead of one-fourth, to divide with his customer, are calculated to mislead and do an injury, which I am sure you do not intend.

Your obedient servant,

Oxford, June 12.

JOHN HENRY PARKER.

(From *The Times* of June 18, 1852.)

TO THE EDITOR OF THE TIMES.

Sir,—Your correspondent, Mr. J. H. Parker, of Oxford, labours under a confusion between the words “ discount ” and “ profit.”

A book published at 20s. is sold by the publisher to the retailer at a discount of 25 per cent. on the publishing price. He pays the publisher 15s. The book so purchased he sells for 20s., or one-third more, so that the profit on the retailer's investment is $33\frac{1}{3}$ per cent.

I hope Mr. J. H. Parker's prophecy is founded on sounder grounds than his view of profit. If secondhand booksellers, or any other class, are willing to convey to the public by retail a popular work without any retail profit, so much the better for the public and for authors. The diminished price will, as in all other instances, produce increased sale, and thus the author will be enriched and the public accommodated.

Yours,

June 16.

TWO-AND-TWO.

(From *The Times* of June 19, 1852.)

TO THE EDITOR OF THE TIMES.

Sir,—The error into which Mr. J. H. Parker fell has been justly exposed by your correspondent “ Two and Two,” but not to its full extent. So far from your having overstated the profit in your leading article a few days ago, when you put it in round numbers at 33 per cent., you very considerably understated it.

Retailers always get 25 copies of the larger works at the price of 24 copies. Of pamphlets they get 13 to the dozen. Thus, for 100 books sold over the counter at 10s. each the retailer has only paid $96 \times 7s. 6d.$; his outlay is 36*l.* and his return 50*l.* A profit of 14*l.* on 36*l.* is equal exactly to 38 8·9 per cent.

In the case of pamphlets the retailer, for 13 pamphlets sold over the counter at 2s. 6d., pays but 1s. 10½*d.* a-piece for 12 copies, the thirteenth being thrown in. His outlay, therefore is $12 \times 1s. 10\frac{1}{2}d. = 22s. 6d.$ His return is $13 \times 2s. 6d. = 32s. 6d.$ —a profit of 10s. upon 22s. 6d., which is exactly 44 4·9 per cent. profit on the outlay. In the case of pamphlets this profit seems doubly outrageous to authors, as publishers in general require the whole expenses of publication, advertisements, &c., to be defrayed beforehand, and in addition often require a fee for their trouble

extra. Instead of 25 per cent., therefore, as I verily believe many of the monopolists have conscientiously (though ignorantly) taken their profits to be, the profit varies from 40 to (in the case of pamphlets) not less than 60 per cent. to those publishers who also retail their own publications, and this in some cases where all the expenses has been borne by the author—a trade which in these days I admit it is worth making a struggle to retain, if it can be retained honestly or decently.

I am, Sir, your obedient servant,

Lincoln's-inn, June 18.

PARVUS IULUS.

(From *The Times* of June 21, 1852.)

TO THE EDITOR OF THE TIMES.

Sir,—Your correspondent “Two and Two” evidently thinks that he has caught me in a palpable blunder; but he is mistaken. I could not be ignorant that there are two modes of reckoning profit in trade,—one by the returns, which is the usual one, and the one followed in all your articles, the other by the outlay, which is the one he adopts; but, if the latter is adopted, other items must also be taken into account. To every 75*l.* expended 5*l.* must be added for necessary expenses of trade, and from every 100*l.* of nominal returns 10*l.* must be deducted for interest or discount. The retail bookseller, then, on an outlay of 80*l.*, gets a profit of 10*l.*, provided he sells every book that he buys and is paid for every book that he sells—that is, if he has no dead stock and no bad debts. Unfortunately, these two items often swallow up the whole of his 10*l.*, so that on many transactions he has no profit at all; and, on the whole, his profits are smaller than those of any other retail trader.

I am quite aware, that if book-buyers would pay ready money, as a general rule, it would be greatly to the advantage of all parties; but, will they do so? I believe they will not, and that they cannot. To do so, they must first pay their bills; and, if they buy no books till that is done, there will be very few books sold for the next two or three years. The ready money system is a very advantageous one to one bookseller out of a hundred, but, as a general rule, it is impracticable.

The Oxford booksellers gave it a fair trial for three or four years. The result was that no more books were sold, no more actual ready money was taken, because they could not get it; their bills were not paid a day sooner at the cash prices than they were at the full prices. They were compelled to change the system for that ever since adopted—allowing a liberal discount to those who will pay, and charging the full prices to those who take credit. This system works well, and suits all parties, and to this the booksellers will be obliged to return if they try any other for a time. I trust to your usual system of fair play to insert this, and have no intention of troubling you again upon this subject.

Your obedient servant,

Oxford, June 19.

J. H. PARKER.

THE PUBLISHERS' ASSOCIATION OF GREAT BRITAIN AND IRELAND.

STATIONERS' HALL, LONDON, E.C.

TERMS AND CONDITIONS OF SUPPLY OF NET BOOKS.

We the undersigned several firms of Publishers being desirous as far as possible of ensuring that Books published at net prices (such Books being hereinafter referred to as Net Books) shall not be sold to the public (including schools libraries and institutions) at less than such net prices hereby inform you that henceforth we shall only invoice and supply to you Net Books published by us or any of us on our usual trade terms provided you on your part agree to abide by the following conditions viz. :—

Conditions of Supply to Retail Booksellers.

1. Not to offer for sale or sell any such Net Book at less than the net price at which it is published, *except as hereinafter mentioned* :—
2. Not to offer for sale or sell any second-hand copy of any such Net Book at less than the published price within 6 months of publication.
3. Not to treat as unsaleable or dead stock any new copy or copies of any such Net Book within 12 months of the date of your latest purchase of any copy or copies thereof and then only such copy or copies of such latest purchase as shall remain in your hands.
4. Not to offer for sale or sell or cause to be sold at a price below the published price any such dead stock as aforesaid without having first offered such dead stock to the publisher thereof at cost price, or at the proposed reduced price, whichever shall be the lower ; and after such dead stock shall have been returned to the publisher, or with his assent sold off under the published price, not to offer for sale or sell or cause to be sold any further copy or copies of the same book below the published price.

Conditions of Supply to Wholesale Distributing Firms.

5. To allow usual trade terms upon such Net Books to such retail trade customers only as consent to and abide by each of the above conditions of supply numbered 1 to 4.
6. Not to sell any such Net Book at less than the full net price at which it is published to any customer who shall offer for sale or sell or cause to be sold any such Net Book contrary to the several conditions of supply above set forth.

In the event of your infringement of any one of these conditions we shall thereafter each require you to pay for all Net Books invoiced and supplied to you at the full net prices at which they are published.