

Observations on the address by the President, and on the statement by the council to the fellows of the Royal Society, respecting Mr. Panizzi, read at their general meeting, Nov. 30, 1837 / [Sir Anthony Panizzi].

Contributors

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OBSERVATIONS

ON

THE ADDRESS BY THE PRESIDENT,

AND ON

THE STATEMENT BY THE COUNCIL

TO THE FELLOWS OF THE ROYAL SOCIETY, RESPECTING MR. PANIZZI,

READ AT THEIR GENERAL MEETING,

NOV. 30, 1837.

[1838]



**** Those persons who may not have seen the Address by the President, and the Statement by the Council of the Royal Society, are informed, that the whole contained therein relating to the present controversy is printed verbatim in these Observations.*

PANIZZI, Sir A

OBSERVATIONS,

&c.

HIS ROYAL HIGHNESS the President of the Royal Society, having, in his Address of the 30th of November last, alluded to my Letter to him of January 28th, and having moreover referred to a statement of the Council appended to his speech relative to that Letter, I am compelled to return to this most disagreeable subject. The following are his Royal Highness's words:—

“ It is with real concern that I venture to call your
“ attention to a letter which has been recently published,
“ on the subject of the new Catalogue of the Library of
“ the Royal Society, which I somewhat prematurely an-
“ nounced, when I last had the honour of addressing you,
“ as preparing for publication, and as likely very shortly
“ to appear. I was perfectly aware, when I made that
“ announcement to you, of the nature of the correspon-
“ dence which had passed between Mr. Panizzi and the
“ Council relating to this Catalogue; but I had no sus-
“ picion that the very brief allusion which I made to this
“ subject, or the incidental mention of Mr. Panizzi's name,
“ which I made in no offensive or disrespectful sense,
“ would have been considered sufficient ground for its
“ publication. It is not my intention to make any obser-
“ vations on the particular allegations which are made
“ against the Council, both collectively and individually,
“ in Mr. Panizzi's Letter, which will be more properly
“ noticed in a short statement, which has been drawn up,
“ in deference to your good opinion, by the Council, and
“ which will be read to you by Dr. Roget; but I think
“ it my duty to state to you, that I was not only cognisant
“ of the whole course of the proceedings of the Council at
“ the time when they took place, but that I perfectly con-
“ curred in their propriety; and I beg leave further to
“ assure you, that a careful perusal of Mr. Panizzi's cor-
“ respondence with the Council, of his comments upon
“ their resolutions and of his imputations upon their con-
“ duct, has in no respect tended to modify the opinion
“ which I originally formed, or to induce me to withdraw

“ from the full share of responsibility which I incur, in
 “ connexion with these proceedings, in common with every
 “ other Member of the Council.”

His Royal Highness here states that he was “ not only
 “ cognisant of the WHOLE course of the proceedings of the
 “ Council AT THE TIME WHEN THEY TOOK PLACE, but that
 “ he perfectly concurred in their propriety,” from which it
 might be supposed that he was in the chair when all the pro-
 ceedings I complain of took place, and from any participation
 in which I was anxious to absolve his Royal Highness: this
 construction I think I may be able to prove is not borne
 out by fact, inasmuch as His Royal Highness could hardly
 be cognisant of the *whole* of the proceedings of the Council
at the time when they took place. In my printed Letter
 page 39—42, a correspondence will be found between Dr.
 Roget and myself, from which it appears that on the
 morning of the 14th July, 1836, I received a letter from
 Dr. Roget, to which an *immediate* answer was requested to
 be laid before the Council at their meeting on *that day*:
 that I did send my answer with a verbal message, that
 I was ready to wait on the Council if they would be so good
 as to grant me an interview: that they not only declined
 sending for me, but came to the resolution, “ that I should
 be no longer employed in the formation of the Catalogue:”
 and that this resolution was communicated to me at the
 very moment, and was in my hands *before seven o'clock,*
on the evening of the 14th, as I can prove. His Royal
 Highness did *not* preside at that meeting; and from the
 rapidity of the Council’s proceedings, it is evident that
 there was scarcely time to communicate with him as to the
 resolutions which were to be passed. His Royal Highness
 may have AFTERWARDS acquiesced in what was done; but
 at *the time* when I was refused a hearing, *at the time* when
 our contract was violated, *at the time* when the most un-
 courteous resolution was passed, it is more than improbable
 that His Royal Highness could be cognisant of what was
 going on. I thought it necessary to give this explanation,
 in order to show that His Royal Highness’s statement is not
 in contradiction to what I said at p. 4, of my letter to him,
 respecting the effects of his inability to preside at the
 Council of the Royal Society, when my remonstrances
 were laid before them.

The statement of the Council begins as follows:—

“ Mr. Panizzi assumes, in the first place, that the
 “ Council was bound to pay him *in advance* the remune-

“ration agreed upon for the completion of the Catalogue ;
 “such payment in advance never having been for a mo-
 “ment contemplated. His payment was to have been at
 “the rate of £30 for every thousand titles the Catalogue
 “might contain; but, in consideration that the work would
 “probably require a long time to accomplish, it was agreed
 “that one-third of the money should be given to him when
 “he had written out all the titles on slips of paper, another
 “third when the revises were finally corrected for the press,
 “and the remaining third when the whole was printed off.
 “The total number of titles written out by Mr. Panizzi, as
 “counted by Mr. Shuckard, by whose computation he con-
 “sented to abide, was found to be 24,136; which at the
 “rate of £10 per thousand, would render the sum he
 “ought to have received at the present stage of his work,
 “£241 : 7s. 2d., but from this sum £27 : 6s. is to be de-
 “ducted in payment of Mr. Robertson, as had been agreed
 “to by Mr. Panizzi, reducing it to £214 : 1s. 2d. At the
 “period when Mr. Panizzi discontinued the work he had
 “already received from the Society £450 *on account*,
 “which is more than double the sum to which he was
 “then strictly entitled. The Council, therefore, far from
 “imagining that he had any further claims on the Society,
 “considered that in advancing him so large a sum before
 “he had completed the second term of his engagement,
 “they had rather erred on the side of liberality. They
 “could never have had an idea that he expected any addi-
 “tional payment, as he never gave them the slightest inti-
 “mation to that effect; and it is not until after the lapse of
 “sixteen months that he suddenly makes an appeal, not to
 “the Council of the Royal Society, but to the public, by
 “the circulation of a pamphlet, claiming further remune-
 “ration, which he has never applied for to the party from
 “whom he imagines it to be due.”

I undertake to prove : 1st, That so far from assuming
 that the Council was to pay me in advance, I never would
 accept a farthing before it was due : 2nd, That the agree-
 ment as to the terms of payment is not as stated : 3rd,
 That I never consented to abide by Mr. Shuckard's com-
 putation alone : 4th, That the Council never did advance
 me a farthing, but paid always less than was due and only
 when due : 5th, That they must have distinctly understood
 that I had a pecuniary claim upon them : 6th, That I did
 not suddenly appeal to the public.

1st, I do not know where the Council find that I assumed

I was to be paid in advance: I never said so, and as will appear from what follows I never would accept of any advance. But I do *assume* that the Council ought to pay me what they are indebted.

2nd, The agreement as to the terms of payment is not as stated, and I am glad to have the opportunity of entering upon a point, which, for brevity's sake alone, I omitted in my Letter to the President. At the meeting mentioned, p. 17 of that Letter, I proposed that the terms of payment for the work should be one-third when I had written out the titles, another third when the titles (not the *revises*, let it be observed—for this constitutes the whole difference; the *titles* being ready for press when fit to be put into the printer's hands; the *revises*, when finally corrected, and nothing remains to be done but working them off,) were ready for press, and the remainder at the end of the work. Mr. Lubbock, who was in the chair, said that it was quite right, and that the Council would accede to my proposal, or used words to that effect; and therefore our agreement in this respect was not reduced to writing. At the beginning of July, 1833, being told that the Council were going to adjourn for the long vacation, and finding that by the end of August I should have written out all the titles, which, according to a computation made by Mr. Robertson, would be certainly more than 15,000, (they *were* considerably more than 20,000, as I have since discovered), I requested that the first instalment of £150 should be voted to me, (taking the titles to be 15,000,) payable at the end of August. When the motion was made, Mr. Lubbock opposed it, and Mr. Robertson was called in to inquire *of him* how many thousand titles I had written. He hesitated: it was suggested: Do you think he has written out 8 or 10,000? he answered, yes; whereupon his word was taken in preference to mine, and only £100 voted, which I would not accept; but I wrote to the then treasurer, Mr. Lubbock, reminding him of the verbal agreement which had taken place at the meeting above alluded to, and requesting that the titles should be counted, and the precise amount paid to which I had a claim. Mr. Lubbock answered, that he perfectly recollected “ at the meeting of the Committee, when I was present, stating his impression that the Council would not object to paying me money on account of the work done by me.” I replied that these words were taken by me to be a consent on the part of the Committee to pay me *in*

the manner I had proposed; and I proceeded to state, that I mentioned those terms in order not to have to ask payment as *a favour*, but to have *a right to request* it; I added that as it would not be right for me to receive any money *in advance*, so it would be wrong for the Council not to pay me what was due according to our agreement; I alluded to Mr. Robertson's extraordinarily short memory, and I ended by explicitly saying, that I wished the Council to understand, that I had asked less than was due and without *favour*. Then Mr. Lubbock rejoined that it was very extraordinary that Mr. Robertson should have made so great a mistake, and with respect to the terms of payment which in my second letter I had repeated in the words he had himself used in his former letter, he now stated that he hoped he did not use those words, "but that he meant *he thought it probable* the "Society would not object, and that of course he could only "mention his individual opinion;" "at all events the "Council (he concludes) cannot be committed by any thing "I have stated." I did not think it worth adding to this correspondence, which is given at length at the end of these observations. The treasurer admits that he had stated his impression that accounts would be paid to me from time to time: I insist that that was to be understood in accordance with the terms I had proposed, and he then takes to the doctrine of probabilities, and informs me that when he spoke from the chair, and in the presence of a Committee who were completing a contract with me, *he* spoke his private opinion, and could not bind the Council. The result was that I would not accept the £100 when I had requested £150; one of the secretaries looked at the titles I had written out, saw at once that I was amply entitled to the sum I had asked, and a second cheque for £50 was sent to me: I kept both till the beginning of September, *at which time I had written the whole of the titles*, and the two checks were THEN presented to Messrs. Lubbock's bank for payment.

I here beg to remark that no mention was made by either party in this correspondence, that the payment of the second third of the £30 was to take place *when the revises were finally corrected for the press*. I wrote to the treasurer: You, as chairman of the Committee and speaking from the chair, agreed to pay me the second third when the *titles* are ready for press; the treasurer did not object to the word *titles*, he did not wish *revises* to be substituted for it, but only endeavoured to persuade me that whatever

passed between us was not binding on the Council. No farther conversation or agreement ever took place; but *now* the Council, finding it convenient to say that certain terms of payment were fixed upon, admit that the agreement mentioned by me did take place, and they *now* consider the treasurer's opinion to have been an *official* and not a *private* one; only they substitute the important word *revises* for the real one *titles*, and assert that they have paid me money in advance. I aver that the word *revises* was never once used in any way whatever with respect to the terms of payment either then or at any other period.

From the tenor of my letters, it abundantly appears that far from wishing to be paid in advance, I scorned the idea of any such payment: but more remains to be said. On the 20th of November, 1834, a sum of £150 was offered to me by the Council; but *as the titles were not ready for press*, I DID NOT ACCEPT IT. Yet they now upbraid me with having accepted money from them when not yet due!

On the 4th of July, 1835, however, the *titles were ready for press*: I therefore applied for the second third, NOW DUE, in the following words, in a letter addressed to Dr. Roget:—

“About the middle of next week, the Catalogue of the Royal Society Library will be ready for press. According to our agreement I am entitled to the payment of two-thirds of £30 for every thousand titles The whole of the titles must be about 24000. At the above rate the two-thirds of the remuneration I am entitled to, comes to £480. In July [I should have said in September: the £150 were voted in July, but I did not cash the cheques till the following September] 1833, I received £150 on account, £150 more were voted to me last year, but these I have not received. If the Council would have the goodness to vote a further sum of £150, I should then be paid £300 now, and with those received in 1833, £450.” The Council *then* did not deny that they owed me the sum I stated; they did not say that I was not to have the second third till *the revises were finally corrected for the press*; but having politely made enquiries of Mr. Robertson, (whose memory on this occasion did not prove treacherous, as I had taken the precaution of getting a *dated* calculation from him of the probable number of titles I had prepared,) they UNANIMOUSLY VOTED THE £300. These are facts which require no comment.

Even supposing for one moment that the Council's modern version of the agreement were as correct as it is proved erroneous by their previous conduct, in the state to which our transactions have been brought by their unjust proceedings, it would not be of any consequence. If the plea of the Council have any meaning, it is not, that no sum will be due to me, but that nothing is due to me *at present*, because the time is not yet come when I am to be paid. Do the Council really contend, that after having prevented me from proceeding with the work, and declared that I shall have nothing more to do with it, I am not to be paid till the revises are *finally* corrected and the work completed? Let us suppose the revises are *never* corrected, or the work *never* completed, am I *never* to be paid? It is now twenty-one months since the work was taken out of my hands, and although more than a year since, His Royal Highness informed the Fellows of the Royal Society, that the Catalogue was soon to appear, yet we have not heard any thing of it. The Royal President acknowledges in his last address that this announcement twelve-months ago was "somewhat premature," yet he prudently abstains from hinting when it is likely to make its appearance.

3rd. I deny that I consented to abide by Mr. Shuckard's computation alone. Mr. Shuckard's name was mentioned to me by Mr. Children, as stated at p. 54, of my Letter to the President, and what then passed is there correctly recorded. As I was to receive a copy of the resolution of the Council of the 3rd of November, of the tenor of which I was thus previously informed by Mr. Children, I expected that, in enclosing that resolution, this gentleman who was *to superintend the accurate determination of the number of slips*, would ask me whether I objected to Mr. Shuckard acting *for him* in behalf of the Society, to which, as I had verbally said before, I should not have objected, and I also expected that I should have then the opportunity of appointing a person on my side. Instead of which, on the 14th of November, 1836, I received copy of the resolution of the 3rd, with a memorandum appended, and signed by Mr. Children, with his initials, stating that the resolution had not yet been *confirmed*, the word *confirmed* being underscored. There had been ample time from the 3rd to the 14th to *confirm* this resolution: it had not been confirmed, however, and in sending it to me, Mr. Children took the utmost precaution (a precaution the more remarkable as it

had *never* been taken before,) of informing me of this *non-confirmation*. Having never been informed of its *confirmation*, how could I suspect that it was to be acted upon? Will any one say that whatever had previously passed between Mr. Children and myself was to be considered as binding on my side, when this gentleman was so scrupulous in warning me, that the Council's resolution was not definitive, and that they reserved to themselves the right of changing their minds whenever they pleased?

4th. In my answer No. 2, I hope there is abundant evidence that I never received more; that, on the contrary, I always received *less* than I was strictly entitled to; and that there *never* was any money *advanced* to me by the Council.

5th. The Council say, that "they could never have had an idea that I expected any additional payment." If they mean that they owe me no additional payment *now*, I have already proved the futility of this plea; if they mean they never had an idea that I am entitled to more, I beg to refer them to their own resolution of November 3, 1836 (printed page 53 of my letter), which was passed on the supposition that I *might* have pecuniary claims on the Society, and with a view to a *final settlement of such claims*. Perhaps the resolution has not been yet *confirmed*. But *confirmed* or *unconfirmed*, it is enough to prove that, although they have *now* no idea on the subject, they had *at one time* a very good notion that some trifle might possibly be due to me. Why not appoint referees, with a view to come to a final settlement of accounts? The Council might then prove (if they could) how much I received in advance; they would then have an opportunity of producing evidence that I was to receive the second third of £30 per thousand titles, only when the *revises* were finally corrected for the press; and of course they would endeavour to show that they had agreed with me that their Catalogue was to be compiled subject to revision and superintendence. If they will not do so, let me tell them that their assertions will be qualified into something worse than "unwarrantable and erroneous assumptions."

6th. I did not suddenly appeal to the public. I appealed to the President of the Royal Society, and not to the Council, because they had declared that they declined to enter into any further correspondence with me on the subject. But this was not suddenly done. My Address to the President was privately sent to His Royal Highness

and to the new members of the Council on the 4th and 6th of last November; it was not sent to the other members of the Royal Society till the 27th and 28th of the same month, that is, after the last meeting of the Council (November 23) previous to the general meeting of the Society. The Council knew full well that the Address would be sent to the Fellows at large, and they will not deny that the subject was canvassed at their meetings, and the determination taken not to do anything. The reasons which induced me to delay so long in bringing the subject before His Royal Highness are of too delicate a nature to be appreciated by the Council of the Royal Society; and no wonder therefore that the delay itself is urged against me in their statement. The wonder is that the President should have concurred with them even in this. I would appeal on this particular point from *him* to his Royal Highness the Duke of Sussex.

The Council further proceed as follows:

“ In the second place, Mr. Panizzi assumes that the
 “ slips and revises are his own property, and that the
 “ Council has no right to them; and to such a length
 “ does he carry this notion, that, even after he had ceased
 “ to be employed by the Council, he refused to give up
 “ the key of the drawers containing the slips, as if that
 “ key were his own property. He likewise still withholds
 “ the revises containing the remarks of the Members who
 “ had seen them, alleging, while accused by nobody, that
 “ they were necessary for his justification. He is evidently
 “ not warranted in complaining of Members pointing out
 “ what appeared to them to be errors, for if he had deemed
 “ this wrong, he would not have done the very same thing
 “ in his pamphlet, wherein he subjects the sheets of a
 “ former Catalogue, not designed for publication, and in
 “ a very rough and unfinished state, to the ordeal of his
 “ severest criticism.”

The words I used with respect to the key, when I was asked to return it were as follows: “ As to the third (resolution) respecting the key of the drawers containing the manuscript *slips* of the Catalogue, according to custom these slips are the property of the writer: *I will, however, waive my right even in this instance; but before returning the key, I beg you [Mr. Children] will have the goodness to meet me at the Royal Society, that we may count how many thousand titles the drawers contain.*” Is this the language of a man who carries to an extraordinary length his notion of the titles being his property? Is this the lan-

guage of a man who refuses the key as if it were his own property? If the Council intended to act honourably, why did they not accede to my request of counting the titles? But they knew that *before receiving my answer as to the key*, Mr. Robertson had been induced to break his word, and to allow them to make use of a key, which they had been informed was deposited in his hands under the pledge of his not permitting any person to use it. I am glad to see that they have not endeavoured to defend either their own conduct or that of Mr. Robertson, on whom they would be glad to let fall even the share of the opprobrium which is justly due to them.

But I have done more. On being informed that the Council asserted that I had *refused* to return the key in question, I wrote to Mr. Children (my letter is inserted p. 52, of my Address to the President,) not only denying the assertion, but adding, that if he had counted the titles himself, or promised to do so, I would return the key immediately. And at page 54 of the same Address, it will be found, that on being verbally informed, by the same gentleman, of the tenor of the resolution of November 3, 1836, viz. that the Council had requested him to superintend the determination of the number of slips contained in the drawers, I immediately offered to him the key, which he declined receiving, doubtless for fear of taking any responsibility on himself. I assert therefore that when either the Council, or any one of them, state that I refused to give up the key, as if it were my property, they state what is false, and they are aware of it.

As to the revises, I say they are my property, having been returned to me, and that I have a right to keep them as documents of the highest importance for justifying my conduct. But the Council say that I am accused by nobody. Oh no! Nor was the porcupine assailed so long as he had his armour on. Reynard affected the utmost surprise at his wearing armour "while attacked by nobody;" the poor simpleton, (forgetting that, to deter his enemies from attacking him, nature had provided him with armour) had no sooner thrown it off, than he was easily destroyed by his friendly counsellor. Were I to give up my papers, there would be no lack of accusers.

As to the Members finding errors in my work, (I have before admitted it contains many, most of which, however, would certainly have disappeared had I been allowed to complete it,) they are perfectly at liberty to do so; but I

contend that it was not to be expected that I was to stultify my own opinion and alter as they pleased. Far from complaining of their remarks, I keep them by me with great care, and am anxiously waiting to see them published. If I do not find them in the *corrected* Catalogue, I may possibly publish them myself with notes and illustrations.

I beg to deny having subjected the sheets of the former Catalogue (which were printed and, let the Council deny it as they may, designed for publication if it had been possible to correct them) to the ordeal of my severest criticism. Was it necessary to submit a work to the ordeal of the *severest criticism*, to discover that a *star-fish* is not a *star*, and a *milk-pail* is not a *constellation*? That *Lapis lucifer* is neither a *devil* nor a *star*? That *Bonaventura* is a Christian name, and *Collezione* no name at all? That *Inland navigation* is no branch of *Astronomy*, any more than *Pneumatics* of *Chemistry*, and that Newton's *Principia* belong to the class mechanics and not to pure mathematics? I really thought that such errors might be pointed out by the mildest critic, simply because they are so very gross and absurd. A critic is severe not when he exposes such egregious blunders, but when he searches with a keen eye for trifling faults, which he magnifies into great ones; but surely no critical magnifier was necessary to render visible the errors which I ventured to point out. I should have thought that they would have struck even the Council of the Royal Society. As, however, they speak of my *severest* criticism, I must suppose that, had I not presumed to call their attention to "what appeared to me to be errors," they would have altogether escaped their critical sagacity.

The Council proceed as follows:

"Another of Mr. Panizzi's unwarranted assumptions is
 "his fancying himself at liberty to execute the work on
 "which he was employed in whatever manner he pleased.
 "The Council certainly never delegated to him this power;
 "but appointed a Committee for the express purpose of
 "superintending the work as it proceeded, and of regulat-
 "ing the manner in which it should be printed: and it
 "was the duty of Mr. Panizzi, or whoever else might have
 "been employed by the Council, to follow the directions
 "and instructions which might from time to time be given
 "to him by that Committee."

I never fancied myself at liberty to execute the *work* as I pleased, and I never said so; I did say, and I repeat

that *I* was bound to execute the *plan* fixed upon by the Committee, not subject to any *superintendence or revision*. I did say, and repeat, that the terms of the resolution, by which I undertook to compile the Catalogue were, that *I* was to make the Catalogue *in the mode to be agreed upon by the Committee*, not that *I* was to make it subject to any revision or superintendence. The *plan* was to be the Committee's; and Heaven forbid that I should ever be supposed guilty of having approved it, or be suspected capable of selecting such a plan, had I been at liberty "to execute the *work*" as I pleased. *I agreed to carry their plan into execution* on my own responsibility. The manner of printing the Catalogue was of course determined upon by the Committee at my own request, so far as concerned the size, type, paper, and number of copies to be printed off, but never as to *execution*. The Council assert that I was to follow the directions and instructions which might from time to time be given to me by the Committee. Had my time been theirs, or had I been their officer at a fixed salary, such an arrangement might be conceived; but is it even probable that I should have consented to be paid by the number of titles, and yet remain subject to re-write and re-arrange them *toties quoties*, as it might please a Committee to direct and instruct "from time to time?"

*Deinde animi ingratham naturam pascere semper
Atque explere bonis rebus, satiareque numquam;
Hoc est adverso nixantem trudere monte
Saxum, quod tamen a summo jam vertice rursum
Volvitur et pleni raptim petit æquora campi:
Hoc, ut opinor, id est, ævo florente puellas,
Quod memorant, laticem pertusum congerere in vas;
Quod tamen expleri nulla ratione potestur.*

I do say, not only that I never agreed to it, but that if I had, the iniquity and stupidity of the agreement would be so manifest, that I am certain it could never be enforced.

Although, as I have before stated, I am far from complaining of the Members having pointed out what they deemed errors in my *unread* revises of the Catalogue, I must, nevertheless, add, that in fairness the Council ought not to have concealed the fact, that those revises were approved by such Members of the Committee as are the best judges in the matter, whose individual opinions were asked by the Council, and who, on being so asked,

strongly advised them not to interfere with me in the execution of the *plan* of the Catalogue. The gentlemen to whom I allude are, Sir Henry Ellis, the Rev. Henry H. Baber, (my predecessor as keeper of the printed books,) the Rev. Josiah Forshall, and Charles Frederick Barnwell, esq. all of the British Museum. These gentlemen were unanimous in their opinion of my work, and this is why the Council have never alluded to their answers. Has the Royal President seen these answers? Does he approve of their being kept back? If on astronomical or geological questions, the opinions of astronomers and geologists were to be carefully concealed, when they were asked and given: and the direct contrary opinions of bibliographers put forward and adopted, what would the philosophers say?

The Council then proceed thus:

“ Mr. Panizzi was continually complaining of ill usage, while he at the same time did not disclose the nature of his supposed injuries. He stated that he could not proceed with the work, but would not point out any ground of complaint. When requested to explain wherein he thought himself aggrieved, he would give no definite answer to the inquiry, but proposed to refer matters to an arbitration; leaving the Council all the while unacquainted with the subjects of dispute, or with the points to be settled by such arbitration. When, for the purpose of mutual understanding, he was invited to a conference with the Committee, he refused to meet them, and would only communicate by letter with the Council.”

The vague assertion, that I was *continually* complaining, does not deserve an answer. The assertions, that I would not point out any ground of complaint, nor give a definite answer as to where I thought myself aggrieved, nor acquaint the Council with the subjects of dispute, nor with the points to be settled by the reference I repeatedly proposed, are all unfounded. In the very first letter on the subject, which I addressed to the Secretaries of the Royal Society (see page 35 of my Address to the President), I said that I did not consider myself bound to comply with the resolutions of the Committee passed in April, and I called upon the Council either to agree with me that I was not bound to comply with them, or else to refer the point, *whether I was bound or not*, to arbitration. This I have repeated over and over again, so that it is absurd to say

they did not know the points in dispute. But I went farther: I offered to rescind my contract (should they wish it) with the Royal Society, on such conditions as any two referees might determine. Is not this point of reference also very clear? The Council, moreover, so far from complaining of any obscurity in my proposal, never once noticed it. If they had intended to agree to arbitration, on being clearly informed of what were the points I meant to have referred, they would have asked for an explanation, instead of never vouchsafing an answer on the subject. They felt that they could not have refused my proposal, if they had once offered to join issue with me; but now they affect to complain of the obscurity of my expressions, as if, forsooth, had they understood my meaning, they would have been ready to submit the case to investigation. Will they do so now?

I refused to attend the conference with the Committee, because I did not think it fair that I should be bound by what I might say, when any member of the Committee, who did not like to abide by his word, might have subsequently said, "that he meant he thought probable" what I might have considered as finally settled. He might also have added: "At all events I can only mention my individual opinion, and the Council cannot be committed by any thing I may have stated:" and even after a resolution had been passed in my presence, who knows but that it might not have been refused *confirmation*?

The Council continue:

"Finding, at length, that the great cause of the offence taken by Mr. Panizzi consisted in his being directed by the Committee to omit certain comments and notes which he had introduced, in his own name, in the Catalogue, the Council, in deference to his wishes, and in the spirit of conciliation, conceded the point in dispute, and agreed that he might consider the manuscript corrections made by the members of the Committee merely 'as suggestions for his guidance.' But, far from meeting them in the same spirit, he next required of the Council, as a condition without which he could not proceed with the Catalogue, a further concession, namely, that they should rescind the whole resolution of its Committee, and declare it null and void. It was obviously impossible to comply with so unreasonable a demand, which seemed so like a mere pretext for the total abandonment of the work; and no alternative remained but to pass the reso-

“ lution of the 14th July, ‘ that Mr. Panizzi be no longer
 “ employed in the formation of the Catalogue.”

The *great cause of offence*, as they facetiously please to call my remonstrances, were the Committee’s resolutions of April 25th, one and all. They say that, however, they conceded the *point in dispute* by granting that the manuscript corrections (corrections?) made by the members of the Committee should be considered by me “ as suggestions for my guidance.” I am delighted with this admission. I did not object to what are here modestly designated as *corrections*; but I objected to the meddling altogether. The Council pass a resolution consenting that the remarks are to be taken by me “ as suggestions for my guidance,” but of the resolutions objected to they say not a word, and I insisted on a clear understanding on this point. It has been remarked that I ought to have supposed the Council to *have made a full concession to my wishes with regard to the resolutions of the Catalogue Committee I complained of*, to use the words of the secretary in his letter of the 14th of July. It now appears that I knew the Council better, and that they did not mean to concede what I wished, but only what they fancied I ought to wish.

My requesting that the Council should either annul the resolutions of their Committee, *of the whole of which I had always complained*, or refer the matter to arbitration, was not a further concession which I asked from the Council: It was insisting on no more than what I had always asked as a matter of right; and when the Council assert that no alternative remained but to pass the resolution, which they did, they forget they had the alternative of referring the question: whether the resolutions of the Committee were or were not contrary to our agreement, and whether or not I was bound to submit to them? If the referees had decided that they were binding upon me, and I had refused to submit to the decision, then, but not till then, the Council would have been perfectly justified in breaking off my engagement, leaving me to the disgrace of refusing to carry it on as I had undertaken.

The Council also say: “ On the Council requesting the
 “ return of the revises in his possession, Mr. Panizzi refused
 “ to do so, alleging that they are his private property; nor
 “ would he even deliver up the key of the drawers con-
 “ taining the manuscript slips; refusals which, of course,
 “ put an end to all further correspondence with him on the
 “ part of the Council.”

As to the untruth of the two assertions here advanced, no more need be said. But I contend, that, even had I absolutely refused to give up the revises or the key, it was no reason for putting an end to all further correspondence with me. It would have been better to prove that I had no right to have the revises examined before delivering them up, nor the titles counted before returning the key; or to state it boldly as the foundation of their resolution. I scorn the assertion that my demand of having the resolutions of April rescinded, seemed even to the Council's eye "a mere pretext for the total abandonment of the work." The manner in which I have executed it so far as I have proceeded, the trouble I have taken with its minutest parts, the eagerness with which I insisted upon being allowed to complete it on my own responsibility, are a decisive answer to this calumnious insinuation. But I say on the other hand, that the pretext for declining to examine the revises and count the titles, and the having a clandestine access to them before they were counted, show that the Council did not mean to act fairly. They did not object to the number of titles being ascertained, (for they have ordered this to be subsequently done) but to having it ascertained before the state of the drawers had been verified. What honourable reason can they assign for such conduct? Let any one of them stand forth individually and say, if I had entrusted him with a key on the terms I had Mr. Robertson, he would have allowed it to be used, not only without my consent, but to my injury? And if he would not have done so, is it not even meaner to take advantage of this person's dependence on the Council and ensnare him to break his promise? His behaviour may be the object of pity; but that of the Council will never be viewed, but with unmixed disgust and contempt. When the Council unceremoniously resolved that I should be no longer *employed* in the compilation of the Catalogue, they ought at least to have accompanied that resolution with a second, desiring me to state immediately what claims I had upon them, with the view of coming to a liquidation forthwith, for the satisfaction of both parties. This conduct, however unjust and galling to me, would have been more like the conduct of gentlemen.

The Council conclude in the following words:—"So far from the Council having ever withheld from Mr. Panizzi, as he asserts in his pamphlet they have done, the precise number of titles which he wrote for the Cata-

“logue, they have always been ready to afford him that
 “information. The slips were carefully counted by Mr.
 “Shuckard, in whose accuracy Mr. Panizzi placed the
 “fullest reliance, and who was appointed for that purpose
 “with his concurrence. Any inquiry that Mr. Panizzi
 “might have chosen to make as to the results and details
 “of that computation would, at all times, have received
 “the most immediate and complete answer.”

In my Letter to the President, I never used the word *withheld*, with respect to the number of titles, but if I had, I should have been fully justified in doing so ; and I beg to repeat that, whatever reliance I may put on Mr. Shuckard's accuracy, he was never appointed to act for me on this or any other business. The Council knew the precise number of titles, according to their reckoning, and they never communicated it to me : and this is *withholding* the information. But, the Council say, why did you not apply for it ? Because you, the Council, resolved that you would have no further correspondence with me on the subject. How could it be expected that I was to address myself to them ? If they passed that resolution, I suppose it was their intention to adhere to it, and I also suspect that they communicated it to me, that I might be aware of their intention. I could not therefore expect an answer to any enquiry I might have chosen to make, although the Council now assert (as it suits their present system of defence,) that an answer would have been returned. Have they forgotten that (as I state, page 54, of my Letter,) I did in fact ask for more information, when I wished Mr. Children to write to me on the subject ?

At the conclusion of the *Statement* of the Council is to be found the following

Note by Mr. Baily.

“ Mr. Panizzi having stated in his letter to the Secretary
 “ of July 8th (see his pamphlet, page 38) that ‘ Mr. Baily
 “ took away my written memorandum, and ordered Mr.
 “ Roberton not to take any step,’ I beg to remark, first,
 “ that, *when that letter was read* at the Council, I was
 “ surprised at the assertion, and distinctly denied the fact,
 “ never having seen nor heard of the written memorandum
 “ therein referred to: secondly, that Mr. Roberton was
 “ immediately called before the council, and, on being
 “ questioned as to this subject, disclaimed also any know-
 “ ledge of the circumstance.”

That the importance of this note may be understood, I beg to transcribe the paragraph from my letter of the 8th of July 1836 here referred to :

“ As to the second resolution, calling upon me to expedite the scientific portion of the Catalogue already set up, I beg to remind the Council, that if I had not been so often unjustly interfered with, the Catalogue would be already printed by this time. The revises were forwarded to the several gentlemen, to whom I was desired to send them, on the 8th of April last. The whole of them is not returned as yet, and I do not see how the Council can call upon me to expedite the Catalogue, as if I were to answer for the delay which has taken place, owing to the revises being so long detained. I requested, *in writing*, Mr. Robertson, more than two months ago, to send to the several gentlemen by whom the revises were detained, urging their return, but Mr. Baily took away my written memorandum, and ordered Mr. Robertson not to take any steps. In fact, I believe that in my memorandum I had desired Mr. Robertson to mention the delay to the Treasurer.”

On the 8th of July, 1836, I stated that that fact had happened not long before, and the two persons whose names I had introduced as connected with it, denied its accuracy on the 14th of the said month of July; but no intimation whatever was conveyed to me of their denial till now. As I cannot bring proofs of my assertion after so long a lapse of time, I must call the attention to the circumstances under which it is insinuated that I wilfully stated what is not correct. Why should I have drawn on my imagination for a fact which is not of the least consequence? suppose it to be the case that I have not made the request *in writing* specified by me, the delay for which I was not answerable, had nevertheless taken place, the conduct of the Council is not the less dishonorable nor my case less strong. And why should I give particulars and mention names, when I must have known that, if what I asserted was untrue, it would be immediately contradicted? My statement that “ Mr. Baily took away my written memorandum, and ordered Mr. Robertson not to take any steps,” being founded on the report at the time made to me by the latter, I have nothing to reply to Mr. Baily’s assertion: the question is: whose memory is most to be relied upon, Mr. Robertson’s or my own? I have a most distinct recollection that what I have stated is strictly true: yet I should not so confidently

adhere to my impression, were it not that Mr. Robertson's memory has proved uncommonly treacherous when before a Treasurer of the Royal Society, and my own has never been subject to such aberrations. When the former Treasurer of the Royal Society called Mr. Robertson before the Council in July, 1833, to learn how many thousand titles I had prepared, he, who at my request had calculated that I must have written about 15000, appeared as if he were struck dumb, and had lost the use of his senses :

*Lingua sed torpet : tenuis sub artus
Flamma demanat : sonitu suopte
Tintinant aures : gemina teguntur
Lumina nocte.*

His recollection was gone—quite gone. He was asked, Do you think eight or ten thousand? Yes, he replied; in his eagerness to leave such awful company, forgetting the calculation he had just before made by my order. Under the circumstances I beg to persist in my statement, trusting to my memory instead of Mr. Robertson's when put to the ordeal of an examination before the Council, the Treasurer in the chair. It now strikes me—that is, applying the *convenient* doctrine of probabilities, “I mean I think it probable”—that it may not have been a resolution of the Council, but a Treasurer's, or an ex-treasurer's look that made Mr. Robertson violate his trust.

Here I beg to take leave of the President, Council, Treasurer and Assistant Secretary. Should any one be inclined to find fault with the length of these observations, let him consider that, had I shortened them, I should not have proved, as I trust I have done, every word I have asserted. The Council in a few lines make more incorrect assertions than can be disproved in as many pages: Their object is to carry a point: mine to establish facts. We have both succeeded. I do not envy their triumph, and I know they are incapable of appreciating mine. These transactions are not recorded in the hope of redress, but ne virtutes sileantur, utque pravis dictis factisque ex posteritate et infamia metus sit.

A. PANIZZI.

Brit. Mus. Dec. 22, 1837.

CORRESPONDENCE

BETWEEN MR. LUBBOCK AND MR. PANIZZI,

ALLUDED TO IN P. 6 AND 7 OF THESE OBSERVATIONS.

No. 1. (*Addressed to J. W. LUBBOCK, Esq. Treasurer of the Royal Society.*)

July 4th, 1833.

“SIR,—As I did not think you likely to attend yesterday’s meeting of the Council of the Royal Society, and as I was told they might adjourn for two or three months, I asked of the Secretaries the favour of their moving that the sum of £150 should be voted to me, payable at the end of August next, on account of the Catalogue of the Royal Society’s Library.

“I need not remind you of our agreement, that whenever I should have written out the titles I was to be paid £10 for every thousand of them; that I should be entitled to a like sum for every thousand titles when ready for press, and to an equal sum at the end of the work. These conditions would have been reduced to writing, had you not declared at the meeting of the Library Committee, *that it was quite right, and that the Royal Society would agree to them, or used words to that effect.* Your word I considered better than any written agreement, and felt it would have been indelicate had I added a syllable on the subject. By the end of next August I hope to have written out the whole of the titles; and as, according to an account taken by Mr. Robertson about six weeks ago I had already prepared more than ten thousand of them, I have every reason to believe that in a couple of months I shall be ENTITLED to more than £150. I asked this sum on account to spare trouble, but as the Council of the Royal Society may wish to pay according to the exact number of titles I may have got ready by the end of August next, I beg a person may be appointed to count them out with me, and that the precise amount may be then paid to which *I have a claim*, according to the before-mentioned agreement. I shall keep the cheque for £100, with which I have been unexpectedly favoured, till I have had the pleasure of hearing from you on the subject, and I have the honour,” &c.

On the 7th of July, 1833, MR. LUBBOCK answered as follows:

“DEAR SIR,—I perfectly recollect at the meeting of the Committee, when you were present, stating my impression that the Council would not object to paying you, from time to time, money

on account of the work done by you, but I believe in cases of this kind, it is not usual to pay for the whole work executed at any given time, but always to leave a considerable margin. Mr. Robertson stated to the Council, that he considered you had, up to the present time, written out from 8 to 10,000 titles, and on this supposition the £100 is all you would be entitled to even on your own basis. I hope it will not be inconvenient to you to wait until October for a further payment, or at least for bringing the question again before the Council. Whenever the question is raised again, I think it would be well if you would be so kind as to write a note to Dr. Roget, or to myself, stating the quantity of labour you have got through; if the Council should not be disposed to take your word, which I do not think in any degree likely, they can have it examined. When the Catalogue is printed, it will be very easy to count the titles, and fix the exact amount. I think it desirable that you should state in writing what you have done, I mean the *quantity*, in order to avoid any misunderstanding.

“If you think that by the Council which there will be next Thursday fortnight, you will have done more titles than will clearly entitle you to £150, and will mention this in a note to Dr. Roget or myself, it can be brought forward again, and I should not offer any opposition, though I trust you will at no time attribute any opinion I may express, to any want of respect to yourself, or undue appreciation of the pains you have taken in executing the Catalogue. I hope that what I have suggested to you will answer your purpose.

“I ought, perhaps, to apologize for not enclosing the cheque for £100 in a letter from me, but I had to leave town for the country, where I am staying, and this will be my excuse if you expected sooner an answer to your letter to me. I remain, &c.”

I replied in these words on the 8th of the same month :

“DEAR SIR,—I have just received your favour of yesterday, and beg to apologize for having put you to the trouble of writing it, but I did not know to whom to address my observations, except to you as Treasurer of the Royal Society, in your official capacity, as to the matter of fact respecting the terms of payment for the Catalogue. When I mentioned them at the meeting of the Library Committee, you, seeing how disagreeable it was to have to stipulate so minutely about instalments, had the goodness to relieve me, by saying that the Royal Society would not object to paying me accounts, (supposing this the word used,) and I took what you said to mean *in the manner which I had proposed*; and under that impression I said no more. But had I understood you correctly, I should have insisted on a clear and specific agreement, however unpleasant the topic might have been, to spare any farther discussion. To ask money on account from time to time, is *begging a favour*, and it was precisely to guard against this that I mentioned some distinct epochs when I should have a right to *request* payment of what might be due to me. As for the custom to which you allude, of *leaving a margin*, I never heard of it, and if it exists, it must be reformed, as being too bad. What would the Council think, if I were to ask for money in advance? and what reason can they have for not paying me in full up to a certain time? I do not mean either to die or to run away, but were I to do either they would not lose a penny, since I

should leave available work for their money. I am glad to find from your note, that *practically* the Council did not act according to this bad custom, but very properly sent me a cheque in full for what they considered due. Unfortunately they preferred Mr. Robertson's hurried calculation of what I have done, to my deliberate and well considered request of payment of £150 for the end of August, which request was based on the supposition that about that time I should be entitled to somewhat more (say £30) than the £150 which I demanded, so that you will perceive that I did leave what to me seems *a considerable margin*. Mr. Robertson, when asked by the Council (he tells me), calculated upon thirty-two boxes of titles at two-hundred-and-fifty instead of four-hundred-and-fifty titles each, which is the average of their contents, as he himself has found out, *twice*, by counting the titles of two different sets of three boxes each. This comes to 14,400 titles; but I am satisfied that, if they were to be counted, one by one, they would be nearer 15,000 than 14,000, and I hope by the end of August they will be about 18,000.

"I cannot conceal that this affair has given me pain. At present I appear before the Council in the character of one who asked, as due, a sum of £150, when he had no claim to a farthing, but to whom £100 were advanced as a favor. I shall respectfully beg to inform the Council at their next meeting that I asked less than what was due, and *no favor*; and although it would not be inconvenient for me to wait for payment till October, I cannot wait till then to see myself righted.

"Accept my best thanks for the kind expressions you have been pleased to make use of in your note, with regard to myself personally and to my endeavours to do my duty honestly by the Royal Society in the work with which I have been honored, and believe me," &c.

The reply of MR. LUBBOCK is dated July 10th, 1833.

"DEAR SIR,—I am very sorry that the proceedings of the Council should have given you pain; it is very extraordinary that Mr. Robertson should have made so great a mistake, but I should not have inferred even from your former Letter that you had already completed 15,000 titles, or nearly so, nor did I at the Council from the statement of Dr. Roget. It would have been the height of presumption in me to have said, "that the Royal Society would not object to pay you." &c. I hope I did not use these words; if I did it was an unfortunate lapsus, I meant that *I thought it probable* the Society would not object; of course I can only mention my individual opinion, and at all events the Council cannot be committed by any thing I may have stated.

"With renewed regrets that any thing should have happened to annoy you, I remain," &c.