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American Novelist Catharine Sedgwick Negotiates British Copyright, 1822–57

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American novelist Catharine Maria Sedgwick had an unusually long career and her books were reprinted in Britain in a variety of circumstances and formats. Both her first novel, *A New-England Tale* (1822), and her last, *Married or Single?* (1857), appeared in London editions arranged by her or her American publishers, as did many of her books in between (including travel, children's and conduct books). However, her works also appeared in unauthorized reprints. Sedgwick thus makes an interesting case study of how law and custom regulated the reprinting of American literary texts in Great Britain after 1820. Focusing on the British reprinting of American literature through Sedgwick's case reveals changes in practice over several decades and illuminates an understudied phase in British publishing history: the emergence of cheap reprints of American novels in the late 1830s.

Scholars have analyzed how James Fenimore Cooper and Washington Irving negotiated British publishing and copyright. Both men resided in Britain for extended periods in the 1820s and 1830s, giving them a legal and logistical edge, and built long-term relationships with prominent London publishers (Cooper with Henry Colburn and Richard Bentley, and Irving with John Murray). Furthermore, because Cooper turned out novels annually, competing publishers anticipated their appearance.¹ In contrast, Sedgwick produced books regularly, but

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1 Ben Harris McClary, ed., *Washington Irving and the House of Murray* (Knoxville: University of Tennessee Press, 1969); Robert Spiller, *Descriptive Bibliography of the Works of James Fenimore Cooper* (New York: Bowker, 1934). Emily Todd's analysis of the circulation of Scott's novels in the US has influenced my thinking on Cooper in Britain. 'Establishing Routes for Fiction in the United States: Walter Scott's Novels and the Early Nineteenth-Century American Publishing Industry', *Book History*, 12 (2009), 100–28.

not annually, shifted US and authorized London publishers multiple times and negotiated the British market primarily from across the Atlantic. While Irving and Cooper's cases, and especially Cooper's, illuminate Sedgwick's, her career reveals more typical trade practices.

Sedgwick's pursuit of British publication of her books required close attention to publishing procedures and the timing of editions. Her negotiations with publishers, sometimes aided by brothers and nephews trained in the law, also shed light on her authorship and approach to the literary marketplace. The modest proceeds from British editions suggest that her desire to become known on the British cultural scene motivated her more than money. In the 1820s, the high-priced authorized editions of Sedgwick's novels were a novelty for British readers. By the late 1830s, however, the cheap editions of contemporary novels already common in the USA became increasingly common in Britain, and she began to pursue authorized editions in order to fend off unauthorized reprints. She also, however, pursued authorized editions less consistently after 1835, while concurrently British publishers began issuing competing cheap editions of her books, including the novels of the 1820s and 1830s. These cheap reprints both undermined Sedgwick's control over her works and made her newly visible to a wider class of British readers.

Authorized Sedgwick in Britain, 1822 to 1841

E. Bliss and E. White of New York published Sedgwick's first three novels, *A New-England Tale; or, Sketches of New-England Characters and Manners* (1822), *Redwood: A Tale* (1824) and *The Travellers: A Tale Designed for Young People* (1825). When Elihu White dissolved his partnership with Elam Bliss, Sedgwick followed him to his new firm of White, Gallaher, and White, which published *Hope Leslie; or, Early Times in the Massachusetts* (1827).² John Miller of London published authorized editions of all four novels. A specialist in American books, Miller imported them for sale, published his own editions and acted as an agent for American publishers, including Philadelphia's Carey & Lea, for whom he secured early copies of Sir Walter Scott's novels for reprinting. In the 1820s, Miller also briefly published Cooper and Irving.³

US statutes clearly specified that copyright protected only works by citizen or resident authors. As Robert Spoo observes, the law created 'an aggressively legislated commons' stocked with British works constituting 'an invitation to piracy

2 Theodora Mills, 'E. Bliss and E. White', in *American Literary Publishing Houses, 1638–1899*, Part 1, ed. by Theodore Dzwonkoski, *Dictionary of Literary Biography* (DLB) 49 (Detroit: Gale, 1986), pp. 55–56. White, Gallaher & White has largely escaped attention.

3 'American Books Imported and Sold by John Miller', bound in *Hope Leslie* (London: John Miller, 1828); James Barnes, 'John Miller: First Transatlantic Publisher's Agent', *Studies in Bibliography*, 29 (1976), 373–79. Joseph Rezek, 'Furious Booksellers; The "American Copy" of the Waverley Novels and the Language of the Book Trade', *Early American Studies*, 11 (2013), 557–82.

that served the interests of domestic publishers, typesetters, printers, binders, and the book-buying public'. Rather than an unmitigated boon for publishers, however, the unrestrained competition of multiple editions of British works could be ruinous. Larger established publishers thus sought to limit competition through 'a coherent and elaborate system of proprietary norms' that 'imitated the broad features of copyright law'. Trade courtesy sometimes broke down, especially during economic crises or when new entrants to the trade and smaller publishers chose to ignore it. Nevertheless, the market for British works in the USA was not as chaotic as a reading of the statute or the advocates for reform of the law might lead one to believe. Instead, as Spoo argues, publishers kept chaos at bay by creating 'order without law'.⁴

In contrast to the statutory 'open invitation' to reprinting in the USA, at the beginning of the nineteenth century 'whether and under what circumstances foreign authors might be protected within Britain was not so clear'.⁵ The copyright statutes specified that only works published first in the United Kingdom fell within their scope but remained silent on the effect of the author's nationality or the place of composition. Through the 1850s different British courts issued conflicting decisions interpreting the statutes, and the leading cases concerned music publishing, further clouding the picture for literary publishing.⁶ American publishers knew US law put British-authored works in the public domain, but British publishers could not be sure whether British copyright protected a particular American-authored work. Considering the slowness of transatlantic transportation and communication, how could a publisher be sure whether a work appeared first in the USA or Britain? (US law did not require first publication, so securing early publication in Britain did not vitiate an American author's home country copyright). And in light of conflicting legal decisions, could a publisher be sure that *any* American-authored works qualified for British copyright?

In the 1820s and through the mid-1830s, this ambiguity made little difference to literary publishers, who mixed law and custom to regulate themselves. A letter from Miller to Benjamin Coles, who made inquiries for Cooper, gives a clear picture of how publishers interpreted the law and regulated their conduct both by law and custom:

4 *Without Copyrights* (New York: Oxford University Press, 2013), pp. 3, 38, 39, 36.

5 Ronan Deazley, 'Commentary on: *Jefferys v. Boosey* (1854)', in *Primary Sources on Copyright (1450–1900)*, ed. by Lionel Bently and Martin Kretschmer: <http://www.copyrighthistory.org> [accessed 27 August 2014]

6 Isabella Alexander, *Copyright Law and the Public Interest in the Nineteenth Century* (Oxford: Hart Publishing, 2010); Catherine Seville, *The Internationalisation of Copyright Law* (Cambridge: Cambridge University Press, 2006); Ronan Deazley, *Rethinking Copyright* (Cheltenham: Elgar, 2006). My analysis of Sedgwick serves as a corrective insofar as these books account for the reprinting of American literature.

[A] Copy Right may be secured in this Country, by publishing a single day before the American Publication; But this is not necessary — If the Author sends the sheets so that they can appear within a few days of the American Publication & get fair possession of the market it will establish an *honorary* Copy Right, which will answer all the purposes of a *legal* one. No respectable Bookseller would invade what would be considered the property of another, & none but a respectable one could procure a sale was he to print.⁷

American authors or their American publishers thus sought to make arrangements with British publishers while books were still in press in the USA, sending proof sheets in advance of publication. And while Miller points to respectability and honour as restraining publishers from reprinting works falling in the British public domain by virtue of prior US publication, he also explains how economics restrained publishers — the first publisher to market gained an economic advantage difficult or impossible to defeat.

British literary publishing practices gave this ‘first mover’ advantage, as Spoo calls it, even greater force in Britain than in the USA. Competing cheap editions of Walter Scott’s and other British authors’ novels periodically flooded the US market in the 1820s, with trade courtesy pushing back against the flood.⁸ There was no similar vogue, however, for cheap British reprints of American novels: despite Cooper’s popularity, American novels represented a vanishingly small proportion of the British market in the 1820s. Furthermore, British publishers would first issue almost all contemporary novels, no matter what their national origin, in small editions at high prices rather than large editions at low prices. And no matter what their word count, most novels appeared in three volumes of three hundred pages each. First priced at a guinea (one pound plus one shilling, or twenty-one shillings), this standard price gradually rose to a guinea and a half, following the precedent set by Scott’s *Kenilworth* in 1821. Only the wealthy and the commercial lending libraries could afford to buy novels in this triple-decker format.⁹

The first authorized British edition of most American novels, protected by statutory copyright or not, was likely to be the only edition in the short to medium term. If an American author or publisher did not arrange a London edition in advance, however, custom left other London publishers free to risk their capital by reprinting from an imported copy. This is precisely what happened to Cooper’s second novel, *The Spy* (1821), which inaugurated his great popularity on both sides of the Atlantic: neither Cooper nor his American publisher completed arrangements

7 Spiller, p. 215 (15 June 1822).

8 James Barnes, *Authors, Publishers, and Politicians* (Columbus: Ohio State University Press, 1974); Meredith McGill, *American Literature and the Culture of Reprinting* (Philadelphia: University of Pennsylvania Press, 2003); Rezek; and Todd.

9 John Feather, *A History of British Publishing*, 2nd edition (London: Routledge, 2006), pp. 122–23.

for London publication before the book was issued in New York, and G. and W. B. Whittaker of London reprinted from an imported American copy in early 1822.¹⁰ For the rest of the 1820s, Cooper's popularity and productivity made his novels targets for unauthorized British reprints from illicitly obtained advance sheets, leading to elaborate multinational coordination of editions in an attempt to foil reprinters' efforts, but Cooper was the exception rather than the rule.

John Miller's authorized reprints of Sedgwick's four novels of the 1820s come closer to usual trade practices. Bliss & White's first American edition of *A New-England Tale* appeared in May 1822. Sedgwick's harsh portrayal of the hypocrisy of small-town Calvinist church-goers sparked controversy, and a second, lightly revised edition with a new preface explaining and defending her intentions appeared in late August. This second edition became the basis for Miller's edition, which had appeared by November.¹¹ Sedgwick's brother, Henry (Harry) Dwight Sedgwick, closely managed US and London arrangements. As he wrote to their sister, Frances Sedgwick Watson:

[T]he *N E Tale* has been printed in London. I have had a very flattering letter from the publisher, stating that he had no doubt of the success & that he should think it his duty to let the author participate in the profits of the English edition.

Harry also reported that a friend recently returned from Europe 'says that in Edinburgh some called the author of this tale the Scott & some the Edgeworth of America.'¹²

The American edition of Sedgwick's second novel, *Redwood*, appeared in mid-June 1824, and Miller's edition (issued jointly with Blackwood in Edinburgh) appeared by late July. This faster turn-around suggests transatlantic arrangements had been made in advance.¹³ Miller reported to Harry Sedgwick in mid-August that he had already sold 200 copies of her novel of manners and thought 'a 2nd edition not improbable.'¹⁴ The reviewer for Colburn's *New Monthly Magazine*, while noting that British readers were already familiar with Cooper and Charles Brockden Brown, pointed to *Redwood* as evidence 'that the *book stores* of America are beginning to furnish us with some good novels in return for the numerous cargoes with which

10 Spiller characterizes Whittaker's edition as a 'piracy' by a publisher who 'won the race' to publish a London edition, subverting Cooper's plans for an authorized one (p. 5), but publishing chronology suggests Whittaker reprinted from an imported ordinary copy of a still-unknown novelist.

11 The earliest British mention is 'Monthly List of Publications,' *British Critic*, November 1822, p. 556. Throughout for US chronology I rely on 'Catharine Maria Sedgwick' in *Bibliography of American Literature* [BAL], vol. vii, ed. by Virginia L. Smyers and Michael Winship (New Haven, CT: Yale University Press, 1983), pp. 380–96. I cite directly the best available evidence for UK chronology (sometimes correcting the BAL).

12 Boston, Massachusetts Historical Society (MHS), Sedgwick Family Papers (SFP), VIII.B., box 72, folder 28 (28 Dec. 1822).

13 A 7 August brief review in the weekly *Literary Gazette* (pp. 501–502) implies a late July issue.

14 SFP, VI.A., box 79, folder 28, Henry Dwight Sedgwick to Catharine Sedgwick (5 October 1824). He relies on Miller's 18 August letter (not preserved).

Paternoster-row has supplied the transatlantic market.¹⁵ The American edition of *The Travellers*, a novelized account of travel through northern New York state and eastern Canada for young readers, appeared in early June 1825 in the USA and in July in London, suggesting advance sheets went straight to Miller.¹⁶ White, Gallaher and White published *Hope Leslie*, Sedgwick's historical novel of white-Indian relations in seventeenth-century Massachusetts, in July 1827, but it was not noted as forthcoming in London until October and finally appeared in November or December, with an 1828 imprint.¹⁷ This slower transatlantic issue likely reflects changes in both Miller's business and the Sedgwick family: Miller repeatedly relocated his shop as he tried to re-establish his business after the 1825–26 economic depression, and Harry Sedgwick, who closely managed the publication of his sister's first three books, began a rapid slide into illness.¹⁸ This time lag attracted no attention from reviewers or other London publishers, however.

Wisely, Miller did not swell either *A New-England Tale* or *The Travellers* to three volumes: he published each as a single duodecimo, the former at just under three hundred pages and the latter at just over two hundred, making each only slightly longer than in their single-volume American editions. Furthermore, at 6s and 4s 6d respectively, he priced them considerably lower than triple-deckers.¹⁹ In the USA, the longer *Redwood* and *Hope Leslie* appeared in the standard American format for novels, two volumes, while Miller published them as 900-page duodecimo triple-deckers, priced at a guinea in boards.²⁰

Hope Leslie was Sedgwick's last novel published by Elihu White and John Miller. Her brother Robert Sedgwick negotiated with Carey & Lea for publication of *Clarence*, a novel of manners set in 1820s' New York City. Printers in New York completed the presswork on 25 May 1830 and Carey published the novel mid-June.²¹ Sedgwick handled transatlantic arrangements herself, sending advance sheets to

15 1 October 1824, p. 459.

16 'New Books Published in July', *Monthly Literary Advertiser*, 10 August 1825.

17 The 10 October 1827 *Monthly Literary Advertiser* listed it as forthcoming (p. 79) and later included it, with pricing and format information, in 'New Books Published in November' (10 December 1827, p. 96). Some copies include Miller's catalogue dated Nov. 1827, and an early review in the 22 December 1827 *Literary Gazette* (pp. 820–21) gives the imprint date as 1828.

18 Barnes, 'John Miller', p. 379. Timothy Kenslea, *Sedgwicks in Love: Courtship, Engagement, and Marriage in the Early Republic* (Boston, MA: Northeastern University Press, 2006), pp. 204–06.

19 'Monthly List of Publications', *British Critic*, November 1822, p. 556. 'New Books Published in July', *Monthly Literary Advertiser*, 10 August 1825.

20 'Quarterly List of New Publications', *Edinburgh Review*, October 1824, p. 267. 'New Books Published in November', *Monthly Literary Advertiser*, 10 Dec. 1827, p. 272.

21 MHS, Catharine Maria Sedgwick Papers (CMSP), i:1:13, Catharine Sedgwick to Charles Sedgwick (7 Mar 1830). This letter establishes his role, but Carey & Lea's 1830 letterbook was not preserved. Philadelphia, Historical Society of Pennsylvania, Lea & Febiger Records, Collection 227B. On the US publishing history, see my 'Introduction' in *Clarence* (Peterborough, ON: Broadview, 2012), pp. 9–40 (pp. 29–31).

Miller, who wrote to her on 24 June describing his transfer of the sheets to another publisher and a problem with transatlantic communication:

Your new work has reached me safely — 'though (from some accident I presume) the first Copy of Volume 1 has never been received. I have not been able to dispose of it for a specific sum — because I cannot convey a Copy-right — but Messrs Colburn & Bentley — our great Publishers — have put it to press, & have engaged to make you such fair compensation as the sale of the work may justify. — This is really the best bargain I have been enabled to make though it is by no means as satisfactory as I anticipated. — Messrs C. & B. are however very honourable men, & will keep their faith with me undoubtedly.... You are also aware that what is done in those cases must be done hastily — The packet ships of the 1st inst[ant], which are both in, have no doubt brought perfect Copies from the Booksellers of New York.²²

Colburn & Bentley's three-volume small octavo edition (price one guinea) appeared on 23 July 1830, and the firm also brought out a new edition of *Hope Leslie* in the same format on 14 October.²³

Miller articulated a clear understanding of the law and trade practices in his earlier letter to Coles, and his 1830 letter to Sedgwick follows the same logic. However, America produced fewer novels than Britain, and British reprints of American novels, although on the rise, were still uncommon (thus the comments by the reviewer of *Redwood* about the paucity of British reprints of American novels as compared to American reprints of British).²⁴ Because British editions of American novels were not routine, American authors and their home publishers needed to agree early in the publishing process whether one or the other might pursue a British edition and on what terms. Apparently, the Sedgwicks and Carey & Lea failed to reach such an understanding. The Sedgwicks suspected Henry Carey's repeated delays in US publication were a 'manoeuvre' designed 'to get out some other books',²⁵ and they may have been right: Carey likely delayed publication of *Clarence* so that he could simultaneously ship advance sheets for two transatlantic editions to A. K. Newman in London. Successor to the Minerva Press,²⁶ Newman collaborated with

22 CMSP iii.3.11.

23 Richard Bentley and Son, *A List of the Principal Publications Issued from New Burlington Street during the Year 1830* (1893), n.p.

24 In the absence of comparative quantitative scholarship, compare the chronological index of Lyle Wright, *American Fiction, 1784–1850: A Contribution Toward a Bibliography* (2nd edn) (San Marino: Huntington Library, 1969) with parallel years in Peter Garside, et al., *The English Novel, 1770–1829: A Bibliographical Survey of Prose Fiction Published in the British Isles, 1770–1829: Volume II: 1800–1829* (Oxford: Oxford University Press, 2000). Wright includes collections of stories, and Garside includes reprints of American novels (including Sedgwick's).

25 SFP, III.C.i, box 13, folder 23. Susan Livingston Ridley Sedgwick to Theodore Sedgwick (10 June 1830).

26 Publisher Information for A. K. Newman, in Troy Basset, *At the Circulating Library: A Database of Victorian Fiction, 1837–1901*, Victoria Research Web: <http://victorianresearch.org/atcl> [accessed 9 October 2014].

Carey on four transatlantic editions, including *Clarence*. Carey published only two American-authored novels in 1830, *Clarence* and John McClung's *Camden*, each in two volumes. Although Newman advertised both titles as joint editions and his and Carey's names appeared on the London title-pages, he reset them as triple-deckers. Newman's 16s 6d price for *Clarence* was lower than Colburn and Bentley's guinea, and his edition appeared just a week after theirs, but neither edition was cheap.²⁷ Because British publication was not first or simultaneous, neither of these competing editions was protected by statutory copyright and their existence attests to friction or a failure of communication between Sedgwick and Carey. However, neither London publisher failed to observe 'honorary copyright' or trade courtesy. Instead, both honoured rights seemingly conveyed by an American (whether the author's rights conveyed through her British agent or the publisher's conveyed directly) and acted in ignorance of British rights held by another member of the trade.

In 1835 Sedgwick again changed American publishers, contracting with New York's Harper & Brothers for publication of *The Linwoods; or, 'Sixty Years Since' in America*. Her contract with the Harpers is silent on the question of British publication, but Sedgwick was pleased that an 'Eng[lish] publisher covenanted for giving [her] half the profits of the Linwoods — not half the losses'.²⁸ Edward Churton, recent successor to the entire business of Bull and Churton, published his three-volume crown octavo London edition of *The Linwoods* (priced at the standard 31s 6d) simultaneously with the two-volume New York edition.²⁹ Sedgwick 'hope[d] to get something from the English edition', but in the absence of publisher's records, it is not clear whether it produced a profit.³⁰ Three years later, Richard Bentley, having parted ways with Henry Colburn, promised Sedgwick half-profits on his one-thousand-copy edition of *A Love Token for Children*, a collection of seven moral tales. The slender octavo volume (4s in boards) appeared in February 1838, a month after the Harper edition, and Bentley issued it for 2s 6d in paper covers in July.³¹

27 Advertisement, *London Standard*, 2 August 1830. Advertisement, *Literary Gazette*, 4 August 1830, p. 535. Newman also issued London editions of Carey titles James McHardy's *O'Halloran* (1824) and Charles Sealsfield's *Tokeah* (1829). Although I have not seen Newman's *Clarence*, the timing of Newman's advertisements and his broader collaboration with Carey convince me his edition did appear.

28 New York, Butler Library, Columbia University, Harper and Brother Records (Contract dated 1 April 1835). CMSP, I.1.19 Catharine Sedgwick to Jane Minot Sedgwick (10 January 1836).

29 S. D. Mumm, 'E Churton and Company', in *British Literary Publishing Houses, 1820–1880*, ed. by Patricia Anderson and Jonathan Rose, DLB 106 (Detroit, MI: Gale, 1991), pp. 118–19. The earliest full American review appeared in the September *American Monthly Magazine*, but the 14 August 1835 *New-York Mirror* provided an excerpt from 'some sheets' provided by the Harpers ('Selections from Works in the Press', p. 51). The *Athenaeum* published the first full British review (12 September 1835, pp. 693–94), and the *Edinburgh Review* provides the price ('List of New Publications', October 1835, p. 260).

30 CMSP, i.1.19, letter to Charles Sedgwick (4 February 1836).

Judging by the incomplete surviving evidence, the seven authorized British editions of Sedgwick's books published between 1822 and 1838 produced at best modest profits. When Colburn and Bentley began dissolving their partnership in 1832, they transferred unsold stock, including *Clarence* and *Hope Leslie*, to Thomas Tegg, who dealt largely in other publishers' remainders.³² The failure to sell out *Clarence* and *Hope Leslie* in two years did not discourage Bentley from publishing *A Love Token*, but in 1841 he declared an eighteen-pound loss on it and likely remained unsold copies.³³ Evidently, Sedgwick's reputation, not profits, attracted her authorized British publishers, and considering the expense and trouble Sedgwick and her family incurred in shipping advance sheets across the Atlantic, establishing and maintaining that British reputation was their primary motive. Sedgwick's 1839–40 European tour solidified the connection to British readers her transatlantic editions had established. She travelled intending to publish an account of her journey,³⁴ and used her time in London to arrange an edition of her new book for adolescent girls, *Means and Ends, or, Self-Training*, which combined advice on conduct with exemplary fictional tales. *Means and Ends* and *Letters from Abroad to Kindred at Home* (1841) are the best documented of her transatlantic publications and demonstrate her sustained involvement in and knowledge of the law and publishing practices.

Shortly before embarking for England in May 1839, Sedgwick wrote to George Palmer Putnam about her new book. An American residing in London, Putnam imported American books for sale and exported English books to America.³⁵ Leaving to his judgment the financial terms and whether to publish it under his own imprint or place it with another firm, she expressed trepidation as to whether the book's style and subject matter suited the British market: 'I am aware that the quality of adaptation which I trust will ensure a general circulation here, may disqualify it there.'³⁶ When she arrived in London in mid-June, Putnam directed her to publisher Charles Tilt, one of whose specialties was children's books.³⁷

31 London, British Library (BL), Bentley Manuscripts, Add MSS 46676 B f18, Add MS 46637 f37. Richard Bentley and Son, *A List of the Principal Publications Issued from New Burlington Street during the Year 1838* (1894), n.p.

32 James Barnes and Prudence Barnes, 'Reassessing the Reputation of Thomas Tegg, London Publisher, 1776–1846', *Book History*, 3 (2000), 45–60 (p. 52).

33 Bentley Manuscripts, Add MSS 46676 B f18.

34 Lucinda Damon-Bach, 'Catharine Maria Sedgwick Tours England: Private Letters, Public Account', in *Transatlantic Women*, ed. by Beth Lueck, et al. (Durham: University of New Hampshire Press, 2012), pp. 21–48.

35 Ezra Greenspan, *George Palmer Putnam* (University Park: Pennsylvania State University Press, 2000), pp. 59–84.

36 State College, PA, Pattee Special Collections Library, Pennsylvania State University (12 April 1839).

Sedgwick's additional preface for Tilt's edition negotiated her relationship with British readers, explaining apologetically in language echoing her letter to Putnam, 'I have written this book for the young women of America, and adapted it (as far as I knew how) to their position and wants. But, though written with reference to Americans, it is hoped that, in all the variety of conditions in England, there may be found some to whom it will be useful and acceptable'. Her preface also cannily speaks over the shoulder of British readers to British publishers by providing key information about the London edition. 'Having, on my arrival in London, found that a small portion of the manuscript had been lost in its transmission from America,' she writes, 'the trouble of supplying it has been more than compensated by the satisfaction of feeling for the moment a more direct connexion with the English press.'³⁸ Subscribed with her initials and dated 22 June 1839 at her London address, the preface effectively warns other publishers against reprinting by explaining that it was not identical with the American edition (as part had been set from new manuscript copy) and that she is residing in England at the time of publication. Furthermore, Tilt's and Marsh, Capon, Lyon & Webb's editions appeared simultaneously in early July.³⁹

Aside from light restyling to fit British conventions, Tilt closely followed the Boston edition — the text block on each page is often identical to the original setting. However, in a late chapter giving advice on dress and in the midst of an exemplary tale about women in a genteel family forced to economize because of financial difficulties, the Boston and London texts diverge. Sedgwick had directed unbound sheets, not manuscript pages, from Marsh, Capon, Lyon, & Webb to Putnam, and thus the text she 'supplied' in London spanned a single gathering. 'Adaptation is an essential principle in dress,' Sedgwick wrote in London, 'adaptation not only to your means, but to your wants' (in the Boston edition, she counsels 'Adaptation requires you to dress, not only according to your condition, but to suit your dress to your occupation'). 'We have been told by travellers,' she wrote in London, 'that it was a great pleasure to see the neat dress of the English domestics.'⁴⁰ This comment does not appear in the original. Having spent three weeks in England recording her experiences for her travel book, Sedgwick herself was the American traveller approving English servants' dress.⁴¹ Tilt's slim 18mo cloth-bound volume sold for 3s 6d and, despite Sedgwick's reservations, was popular enough with British readers that Tilt, having entered into a partnership with David Bogue in 1840,

37 Logan D. Browning, Jr., 'Charles Tilt', in *British Literary Publishing Houses*, pp. 296–98.

38 The preface is not paginated.

39 'Literary Novelties: List of New Books,' *Literary Gazette* (London), 6 July 1839, p. 430. 40 pp. 180, 181 (London); p. 190 (Boston).

41 This praise also appears in *Letters from Abroad* (New York: Harper, 1841), pp. 110–11.

brought out a new illustrated edition at the same price in 1840, which remained in print throughout the decade.⁴²

In England Sedgwick also solidified the acquaintance she struck up with British travel writer Captain Basil Hall during his American tour.⁴³ In July 1840, Hall gave her a letter of introduction to his London publisher, Edward Moxon, who published primarily poetry, plus about one travel book a year (including several of Hall's), and very few novels.⁴⁴ In short, he was well positioned to publish Sedgwick's travel book, but neither would have looked to the other without Hall's introduction. Hall 'strongly recommended' Moxon to Sedgwick because Moxon would serve her well, but Hall also assured Moxon that his 'interests would be benefited by adding [...] a writer so highly distinguished not only in her own country, but in this' to his list.⁴⁵

After returning home, Sedgwick informed Moxon that she had authorized Hall to 'confer' with him on 'the subject of publishing my journal. I hope it may be agreeable to you to do so as it will give me great pleasure to be presented by you to the English public.'⁴⁶ Sedgwick subsequently charged Hall with supervising London publication, including correcting proofs. Hall had informed her that Moxon issued lower-priced editions of books that sold well in their first, expensive edition, and she expressed an interest in being 'put into one of his Cheap Editions'. Otherwise, she left Hall and Moxon to 'decide on the best mode of publishing' her book, although she was (in Hall's paraphrase) 'unwilling to incur any expense or risk, but if there be any profit, she will be glad to have as large a share of it as [Moxon] may deem her due'.

Hall told Moxon that he intended to give Sedgwick sound advice about the mechanics of transatlantic publication: 'I shall write to her not to wait till a Volume is finished, but to send off the sheets, one by one as they are printed.' Because of the differences in American and British publishing practices, however, Sedgwick's instructions sometimes became garbled in transmission. She told Hall her book would 'contain about as much matter as her novel of the Linwoods', which Hall translated into London publishing idiom as 'an ordinary sized, 3 Vol. novel'.⁴⁷ Sedgwick's note

42 'Literary Novelties'. Advertisement, *Literary Gazette* (London), 26 Dec. 1840, p. 842. I have not seen this edition, but it consistently appears in Bogue's catalogues through at least the mid-1840s.

43 On their relationship see Homestead, 'Introduction', pp. 17–19.

44 Harold G. Merriam, *Edward Moxon: Publisher of Poets* (New York: Columbia University Press, 1939), pp. 43–44, 82–83.

45 Cambridge, MA, Houghton Library, Autograph File (17 July 1840).

46 New York, NY, Barnard College Library, Bertha Riperton Van Overbury Collection (25 February 1841).

47 New York, NY, Morgan Library (25 March 1841 — Hall's letter to Moxon incorporates both quotations from and paraphrases of an absent letter from Sedgwick to Hall).

accompanying the second volume of the Harpers' proofs in June described them as 'the remainder' that put 'all in [Moxon's] hands'.⁴⁸ Days later, she wrote to Moxon apologizing for leaving him 'in ignorance as to the number of volumes my Journal would comprise' because of her 'impression, received from our very young literature, that two volumes are the canonical number'. She was nevertheless keen on her book reaching its British audience, sending him a considerable list of British friends and acquaintances (including Anna Jameson, Harriet Martineau and Mary Russell Mitford) to whom she wanted copies sent on publication.⁴⁹

Clearly Sedgwick did send Moxon advance sheets: his 21s two-volume edition of *Letters from Abroad* appeared in early July, a month before the Harper edition.⁵⁰ Because Sedgwick named British celebrities whom she met privately in their homes, *Letters from Abroad* became something of a scandal and one of the most popular of her authorized British editions. Newly set in space-saving double columns, Moxon's four-shilling one-volume edition appeared in early 1842, fulfilling Sedgwick's desire to be 'put into one of [his] Cheap Editions'. He later dropped the price to 2s 6d and kept his cheap edition in print through the 1840s and beyond.⁵¹ By 1841, then, many of Sedgwick's works had appeared in authorized London editions, some issued simultaneously with or prior to their American editions. Only two, however, were kept in print in cheaper editions after their first issue, *Means and Ends* and *Letters from Abroad*.

Unauthorized Sedgwick in the 1830s and 1840s

Publishing and copyright histories cite *D'Almaine v. Boosey* (1835) and *Bentley v. Foster* (1839) as marking a shift in how British courts applied the copyright statute to foreign-authored works by finding simultaneous or prior British publication qualified them for protection. They further cite Henry G. Bohn and George Routledge's unauthorized reprints of American novels beginning in the late 1840s as

48 State College, PA, Pattee Special Collections Library, Pennsylvania State University (25 June 1841).

49 New Haven, CT, Beinecke Library, Yale University, Letter File ZA (28 June 1841). At this point, Sedgwick had enlisted an additional intermediary, Mr. Sharpe, who reported this confusion to her.

50 Review of *Letters from Abroad*, *Literary Gazette*, 10 July 1841, pp. 432–36. Review and Thomas Moxon, Advertisement, *Athenaeum* 10 July 1841, pp. 515–18, 526. The BAL notes the first American review was 'considerably in advance' of mid-August publication, suggesting the reviewer had an advance copy while the book was held back pending London publication.

51 Advertisement, *Athenaeum*, January 1842, p. 27. *Cheap Editions of Popular Works* bound in *Poems by Samuel Rogers* (London: Moxon, 1849). Bradbury & Evans printed both Moxon's cheap editions and Smith's Standard Library. In the 1840s Moxon leased his *Letters from Abroad* and other 'cheap editions' plates to Smith and in the 1850s sold them to him. Publication list on the back cover of Frederika Bremer, *The Neighbours* (London: Smith, 1845). *Index to the British Catalog of Books Published during the Years 1837–1857 inclusive* (London: Sampson, Low, 1858), Appendix B, n.p.

inaugurating the fashion for cheap reprints.⁵² As John Feather observes, however, historians too often miss ‘the distinction [...] between the apparent outcome of the legal processes and the actual practices in the book trade and nascent publishing industry.’⁵³ Unauthorized British reprints of Sedgwick’s books are a case in point, and my analysis of select examples both casts light on the scope of Sedgwick’s British reputation and complicates entrenched scholarly assumptions about copyright and publishing practices.

Although British courts issued contradictory rulings about copyright protection for foreign-authored works in the first half of the nineteenth century, they agreed that British publication was required. Thus an American author or publisher who published in the USA but made no arrangements for a British edition could not seek an injunction against a publisher who made the work available to British readers. Despite consistently authorizing British editions of her book-length fictions in the 1820s, neither Sedgwick nor her American publishers arranged British editions of her didactic novels *Home* (1835), *The Poor Rich Man*, and *the Rich Poor Man* (1836) and *Live and Let Live; or, Domestic Service Illustrated* (1837).⁵⁴ Unauthorized British editions of Sedgwick from the mid-1830s to the 1850s fall into two classes, then: reprints of works that never appeared in authorized London editions and cheap reprints of works that previously appeared in expensive authorized editions.

Opportunistic British reprints of all of Sedgwick’s didactic novels appeared in the 1830s. Unitarian minister Henry Ware commissioned her to write *Home*, the story of an exemplary New England farm family forced to move to New York City to recover its fortunes, for his series *Scenes and Characters Illustrating Christian Truths*, published by James Munroe in Boston. Simpkin & Marshall, a London firm specializing in wholesaling to the provinces, reprinted each title in the series in order of issue, but with a six-month lag between Boston and London publication.⁵⁵ The small paper-covered *Home* (price 1s 3d) was thus squarely in the public domain. Neither Sedgwick nor the Harpers anticipated a British audience for the *Poor Rich Man* (contrasting the fates of a wealthy and a poor family to the detriment of the wealthy one)

52 Simon Nowell-Smith, *International Copyright Law and the Publisher in the Reign of Queen Victoria* (Oxford: Clarendon Press, 1968), p. 34. Seville, *Internationalisation*, p. 175. Alexander, pp. 100–02. Barnes, *Authors*, p. 153.

53 ‘The Significance of Copyright History for Publishing History and Historians’, in *Privilege and Property*, ed. by Ronan Deazley et al. (Cambridge: Open Book Publishers, 2010), pp. 359–67 (p. 361). Furthermore, *Bentley v. Foster* materials in the Bentley Manuscripts and court records undermine the notion that the case expanded protection for American-authored works.

54 The pamphlet-length *Mary Hollis* (1822) and *The Deformed Boy* (1825) did not appear in separate British editions.

55 Julian Wolfreys, ‘Simpkin and Marshall’, in *British Literary Book Trade, 1700–1820*, ed. by James Bracken and Joel Silver, DLB 154 (Detroit, MI: Gale, 1995), pp. 250–52. ‘Scenes & Characters Illustrating Christian Truth’, Paper covers, *The Backslider* (London: Simpkin, Marshall, 1836).

or *Live and Let Live* (telling the story of domestic servant Lucy Lee, to educate servants and their mistresses about their duties to one another). In 1837 John Green, who specialized in religious books, published his 3s 6d *Live and Let Live* four months after the Harper edition. Just as Routledge later published a revised edition of Susan Warner's *Wide, Wide World* (1850) that 'mediated' the book for an English audience by revising the text in a way 'effectively minimizing or rewriting the book's Americanness', Green's edition of *Live and Let Live* 'omitted', as the preface explains, 'several passages contained in the original' that referred 'to circumstances or customs peculiar to American society'.⁵⁶

In the late 1830s Thomas Tegg not only reprinted *Live and Let Live* and *The Poor Rich Man*, written to be accessible to readers of modest means, but also played a key role in a campaign against the expansion of copyright that characterized copyright as 'a tax on knowledge' that hurt working-class readers.⁵⁷ Tegg made Sedgwick's two didactic novels key texts in his 'Library for the People', 'uniformly printed in the best manner, in royal 32mo., bound, with embossed covers and gilt edges', priced two to three shillings per volume. He also included Sedgwick's *Love Token* in competition with Bentley's authorized edition.⁵⁸ As a London correspondent reported to New York's *Knickerbocker* magazine, Tegg's advertisements were evidence of the 'really astonishing' popularity of Sedgwick in Britain. 'Indeed', he observed, 'there is beginning to be a brisk competition here in this business of printing American books for nothing'.⁵⁹

The apparent expansion of copyright to protect foreign authors' works by the law courts did not deter cheap reprints of Sedgwick's full-length novels. *Dalmaine v. Boosey* concerned music publishing, but *Bentley v. Foster* was a rare decision concerning unauthorized reprinting of an American literary work. Plaintiff Richard Bentley claimed British copyright in *The Headsman* (1833) as Cooper's assignee, while defendant Foster & Hextall's weekly, *The Novelist* (1838–40), featured older British, reprinted American and translated continental works, including several others by Cooper and one Sedgwick title, *Clarence*. Rather than evidencing confirmation or expansion of copyright for American works, *Bentley v. Foster* marks the emergence of upstart publishers who did not regulate their conduct by principles of 'courtesy' or 'honor' and pushed the boundaries of statutory interpretation.

56 'Books Published and Sold by John Green', bound in *Live and Let Live* (London: John Green, 1837). Sharon Estes, "'In Its English Dress': Reading Susan Warner's *The Wide, Wide World* as a Transatlantic Religious Bestseller' in *Transatlantic Women*, pp. 208–31 (pp. 220–21). 'Editor's Preface, *Live and Let Live*, p. [3].

57 Seville, *Literary Copyright Reform*, pp. 123–25.

58 'Tegg's Standard Library for the People' bound in Sedgwick, *Poor Rich Man*, 4th edn (London: Tegg, 1839). Tegg, Advertisement for *Live and Let Live* (3rd edn), *Athenaeum*, 14 July 1848, p. 501.

59 X.Y.Z., 'Foreign Literary and Other Gossip', pp. 550–51 (p. 550).

The Novelist was not alone, competing with the similar and longer-lived *Novel Newspaper*, which reprinted *The Linwoods*.⁶⁰ As reduced-price reprint series, *The Novelist* and *The Novel Newspaper* differed significantly from their more well-known antecedents. Colburn & Bentley's successful 'Standard Novels' series, inaugurated in 1832 with Cooper's *The Pilot* (1824), reprinted triple-deckers in six-shilling single volumes. The publishers paid Cooper to revise the text of and write new prefaces for *The Pilot* and other novels, and the series (continued by Bentley alone) featured novels for which they already owned the copyright or for which they specially acquired copyrights, their investment in 'copyright novels' being a selling point.⁶¹ In contrast, *The Novelist* commenced with *The Last of the Mohicans*, bore the motto 'Stolen waters are sweet', and trumpeted the per-number 'TWO PENCE' price. A typical novel appeared across six or seven sixteen-page numbers, and *The Novelist* also offered bound volumes collecting several novels after serial issue. In 1839 *Clarence* shared the first volume with Cooper's *Last of the Mohicans*, *Lionel Lincoln*, *The Pilot* and Victor Hugo's *Hunchback of Notre Dame* (retitled *La Esmeralda*). Crammed into ninety-seven double-column pages spanning seven installments, *Clarence* was one-ninth its triple-decker length and cost 1s 2d—5½ per cent of Colburn and Bentley's twenty-one shillings, seven per cent of A. K. Newman's 16s 6d, and cheaper than the two-shilling reprints of Sedgwick's considerably shorter didactic novels then in circulation.

The Novelist made *Clarence* extraordinarily cheap and accessible to a wider range and greater number of purchasers than in 1830.⁶² However, *The Novel Newspaper*, offered from 1838 to the mid-1840s by a shifting array of publishers, made *The Linwoods* even cheaper. *The Novelist* featured one illustration per twopenny number, giving *Clarence* six, while the *Novel Newspaper* offered each un-illustrated number for one penny. First issued in 1839, in 118 double-column pages, *The Linwoods* exceeded six installments but did not fill seven, so the *Novel Newspaper* appended an unrelated anonymously published 'American Story', 'The Marriage Blunder'.⁶³

60 On these series, their publishers, and milieu (but with scant attention to reprinted American texts), see Michael Sadleir, *XIX Century Fiction* (London: Constable, 1951), ii, 142–43; Louis James, *Fiction for the Working Man, 1830–1850* (London: Oxford University Press, 1963), pp. 25, 132; Richard Altick, *The English Common Reader*, 2nd edn (Columbus: Ohio State University Press, 1998), pp. 289–91. Marie Léger-St-Jean's *Price One Penny: Cheap Literature from 1837 to 1860* — <http://princeonepenny.info> — supersedes James' and Sadleir's bibliographies.

61 Royal Gettman, *Victorian Publisher* (Cambridge: Cambridge University Press, 1960), pp. 45–54. Sadleir, ii, 91–104.

62 On price in relation to purchasing power, see Simon Eliot, "Never Mind the Value, What about the Price?": Or, How Much Did *Marmion* Cost St. John Rivers?, *Nineteenth-Century Literature*, 56 (2001), 160–97. The data sources he and others mine fail to capture, however, these sub-bibliographic publications.

63 See the advertisement by bookseller J. Storer in the 3 March 1840 *Derby Mercury* describing *The Linwoods* as 'already published' and priced for separate purchase (implying first publication in 1839). William Cullen Bryant was author of 'The Marriage Blunder'.

Readers could not purchase *Clarence* in *The Novelist* edition separately because it began and ended in mid-weekly installment. In contrast, *The Novel Newspaper* ensured novels began and ended within the confines of sixteen-page weekly numbers (a single gathering), concluding a final installment with filler as necessary (as with *The Linwoods* and ‘The Marriage Blunder’). *The Novel Newspaper* was thus also able to market novels separately, charging a slight premium over serial publication (10d, rather than the original 7d, for *The Linwoods*, with the former price under two per cent of Churton’s guinea and a half and the latter just over). In this format, *The Linwoods* remained in print for years and travelled far: *Novel Newspaper* editions were popular among print-starved Australian readers otherwise undersupplied with novels.⁶⁴

In the 1830s American publishers of cheap reprints of British literature advocated against international copyright by arguing that cheap print benefited American readers.⁶⁵ Similarly *The Novel Newspaper* used its collected volume prefaces to critique copyright. The preface to volume 9 (encompassing *The Linwoods*) explained that the law did not allow them, as some readers requested, to be a ‘pirate barque, wandering the ocean of literature, hoisting the black flag against [all] literary property’ — they could produce no cheap editions of Bulwer and G.P. R. James, only older British and contemporary American works.⁶⁶ Unsurprisingly, they sharply criticized both the extension of the British copyright term in 1842 and American advocacy for reciprocal copyright between the USA and Britain.⁶⁷

The Novel Newspaper doubted Americans would approve Anglo-American copyright, and, indeed, American advocates of international copyright in the late 1830s and early 1840s (including Sedgwick) failed to achieve their goal.⁶⁸ Furthermore, despite *Bentley v. Foster*, *The Novel Newspaper* and other cheap reprinting enterprises flourished in the 1840s. Reprinters avoided *The Headsman* but otherwise did not trouble themselves about publication chronology, honour or courtesy — they simply assumed American-authored works were fair game. *The Novel Newspaper* claimed it first introduced British readers to American authors and texts, but an examination of *The Linwoods* reveals they relied on Churton’s lightly restyled edition, which was arguably protected by copyright.

64 Elizabeth Webby, ‘The *Novel Newspaper* and Its Role in the Transmission of American Fiction to Australia’, in *Reading Across the Pacific*, ed. by Robert Dixon and Nicholas Birns (Sydney: Sydney University Press, 2010), pp. 167–76.

65 Barnes, *Authors, Publishers and Politicians*; McGill; and my *American Women Authors and Literary Property, 1822–1869* (New York: Cambridge University Press, 2005).

66 London: N. Bruce, 1844, n.p.

67 Vol. 14, London: N. Bruce, 1843.

68 Homestead, *American Women Authors*, ch. 2.

Subsequent cheap reprints of Sedgwick's works suggest that cheap reprints begat more cheap reprints. Sedgwick continued to write new magazine and gift book tales through the 1840s, but she markedly decreased production of book-length works, and these longer works escaped the transatlantic market — for example, there is no British edition of *The Boy of Mount Rhigi* (1848), a novel for young readers. Nevertheless, because cheap editions of *Home* and *The Linwoods* proliferated, for poor and middle-class British readers Sedgwick's reputation as a novelist rose in the 1840s and 1850s. William Smith's Standard Library picked up *Home* in its first year (1839) and *The Linwoods* in its second (1840), along with out-of-copyright British classics, other American works and translated continental ones. As Smith explained in *Home*'s 'prefatory notice', 'When first the "Standard Library" was offered to public notice, the reproduction of the best work of our transatlantic brethren, an object kept in view from the commencement of the series, was announced as a part of the scheme projected. The present work, which is already favorably known in England, is offered as a guarantee that the pledge already given shall in due time be amply redeemed.'⁶⁹ His double-column editions featured higher quality paper and type than *The Novelist* and *The Novel Newspaper* and were offered complete, rather than serially, at a higher price point: *Home* at 9d and *The Linwoods* at 2s 8d (still only seven per cent of Churton's price).⁷⁰ The stereotype plates for Smith's series, including *Home* and *The Linwoods*, circulated among other cheap series publishers into the 1860s. Indeed, *Home* became a standard element of cheap library series. In 1839 it appeared in *The Romancist, and Novelist's Library*, published by J. Clements in London. Its twopence, triple-column weekly parts often featured Gothic novels (strange company for *Home*) and shorter tales.⁷¹ In 1844, Henry G. Clarke almost inevitably included *Home* in his 'Clarke's Home Library', advertised 'as centering in *Home*'. '[I]n a superior *book form*' ('Super-Royal 16mo, in a handsome Wrapper'), the 4d and 6d volumes (*Home* was 6d) were cheap enough 'for all classes.'⁷² Also in 1844, J. S. Pratt, a Yorkshire cheap book publisher with a London office, issued *Home* and *The Linwoods*, evidently deriving his editions from Smith's. He combined *Home* and Frederika Bremer's *The H— Family* in a four-hundred-page volume, using the same translation of Bremer

69 The preface is not paginated and the title page undated, but see Advertisement, *Athenaeum* 9 November 1839, establishing price and publication year. William Smith is distinct from W. H. Smith.

70 Advertisement, *Literary Gazette* (London), 21 November 1840, p. 776. Imprint dates and priority of issue between 'The Novel Newspaper' and Smith are not clear because the first issue of 'The Novel Newspaper' volume encompassing *The Linwoods* is not extant.

71 Sadleir, ii, 163–64. Review, *Literary Examiner*, 10 November 1839. Advertisement, *Odd Fellow*, 10 October 1840.

72 Advertisement, *Publisher's Circular* (London), 1 October 1844, p. 286.

as Smith, and printed his squat five-hundred-page *Linwoods* so crudely that quotation marks setting off dialogue are missing.

Clarence did not circulate quite as widely as *Home* and *The Linwoods*, but in 1846 Dublin's Simms & M'Intyre included it in its fourteen-title 'Parlour Novelist' series. Aimed at middle-class readers and distributed in London by W. S. Orr, each work cost 2 shillings sewn or 2s 6d in cloth-covered boards (cheap compared to Bentley's 'Standard Novels', but more expensive than the cheap series described above). Advertising it as 'a series of Tales, Novels, and Romances, by the most distinguished authors', each in a 'neat duodecimo volume of about 400 pages [...] suitable either for the travelling carriage or the library', Simms & M'Intyre boasted, 'The majority of the works selected for publication are either copyright editions, on the purchase of which a considerable sum has been expended, or translations from the French and German languages by competent persons.'⁷³ They derived *Clarence*, however, from an earlier British edition. British publishers trafficking in cheap reprints from the late 1830s to the 1840s took up Sedgwick's works unevenly (why not *Redwood*, for example?), but those that entered the reprint market became a kind of common property of this segment of the trade.

Authorized and Unauthorized Sedgwick in the era of Jefferys v. Boosey (1854)

In the late 1840s and early 1850s, Sedgwick revised *Redwood*, *Clarence* and *A New-England Tale* for a collected edition of her works, which Putnam issued simultaneously in New York and London; however, his financial troubles and the unwillingness of Sedgwick's other publishers to transfer copyrights to Putnam caused him to truncate the planned series.⁷⁴ She published no new novels in the early 1850s, the era of *The Wide, Wide World*, Stowe's *Uncle Tom's Cabin* (1852) and Cummins's *The Lamplighter* (1854), each of which broke American sales records and appeared in multiple unauthorized British editions. These authors and their US publishers did not pursue prior or simultaneous London publication, leaving them fair game for reprinting (although clear priority of publication might not have stopped aggressive reprinters).

The continuing circulation of cheap reprints of Sedgwick in the 1850s reveals how Routledge and Bohn, rather than pioneering cheap reprinting of American literature, built on established practices. When reprints of newer American works flooded the market, British publishers offered Sedgwick's novels alongside them. For example, in 1853 Ingram Cooke & Co.'s 'Universal Library' was, essentially, Smith's Standard Library (including *Home*), printed from Smith's plates, plus *Uncle Tom's*

⁷³ Advertisement bound into *Clarence* (Dublin: Simms & M'Intyre, 1846). See also J.R.R. Adams, 'Simms & M'Intyre: Creators of the Parlour Library', *Linen Hall Review*, 4 (1987), 12–14.

⁷⁴ Homestead, 'Introduction', pp. 36–37.

Cabin.⁷⁵ Earlier reprinters had ignored *Hope Leslie*, but Routledge included it in his first cheap series, the Railway Library. Offering it in his typical printed glazed paper over boards, Routledge kept *Hope Leslie* in print through the mid-1850s, annually striking off 2,000 copies or more.⁷⁶ Stowe, Cummins and Warner's novels all became key texts in Routledge's series.

Contemporaneously, conflicting decisions by British law courts created great uncertainty about foreign authors' copyrights. In 1850, John Murray and Richard Bentley filed suit against Bohn and Routledge, claiming their reprints of Irving and Melville infringed copyrights assigned them by these American authors. However, they settled before trial because of the complexity, cost and uncertain outcome of the litigation.⁷⁷ Once again, music, not literary, publishing spawned the precedent-setting case: after contradictory rulings in lower courts, the House of Lords heard the appeal of Jefferys (the infringing publisher) against Boosey and decided copyright did not protect a foreign author's work unless the author resided in the United Kingdom — even temporarily — at publication time.

After *Jefferys v. Boosey*, some American authors arranged carefully-timed trips to London, and later Canada. Catharine Sedgwick wrote her last novel, *Married or Single?* after 1854, contracting with the Harpers for US publication in 1857, but did not travel to the Queen's dominions. Instead, the Harpers sent the novel to Charles Knight of London. His edition appeared weeks earlier than in America, giving him first mover advantage, and he prominently labelled it an 'author's edition' to exert moral pressure in the absence of a legal right.

Sedgwick was 'lost in the vexation of that horrid English copy' of her novel. The 'shabby style' was 'mortifying enough', but while conceding Knight's 'right to make the commodity most marketable', she objected strenuously to textual alterations. Knight's two-shilling edition 'omitted the preface [...] changed the motto, all the captions to the chapters, inserted running-titles for the chapters, and varied the text'. Sedgwick's examination of the volume ended with the garish printed cloth covers. 'Oh!', she exclaimed, 'they have printed "The Author's Edition," which covers with my name the whole thing.'⁷⁸ Sedgwick wished for some 'mode of righting [her]self', but she could only express outrage to her American publisher through her nephew, who wrote to the Harpers on her behalf deriding the 'cheap style' of Knight's edition as 'designed possibly to adapt it to railway circulation' but objecting most vigorously to the alterations. 'The judgment of the author', he protested, 'is of necessity the sole

75 Advertisement bound into *Home* (London: Ingram, Cooke, 1853).

76 Advertisements in *Athenaeum*, 1 June 1859, p. 597; 4 July 1857, p. 842. University College London, Records of George Routledge & Co., Publication Books, vol. 1, p. 71.

77 Barnes, *Authors, Publishers and Politicians*, pp. 155–66.

78 *Life and Letters of Catharine M. Sedgwick* (New York: Harper, 1871), p. 371, Letter to Katharine Sedgwick Minot (20 July 1857).

criterion of the style, substance and arrangement of his [*sic*] work in any edition of it which purports to have his sanction.’ He queried the Harpers as to ‘what authority was given by you to Messrs Knight and Son in regard to the book and what right they have, so far as your instructions went, to publish it in the manner they have done.’⁷⁹ As his careful wording reveals, however, once Sedgwick’s work was in a British publisher’s hands, neither she nor the Harpers could dictate its fate. Instead, she and her lawyer could only chide her American publisher for not giving clearer or more forceful instructions.

The ‘railway circulation’ reference hints that Sedgwick knew of Routledge’s Railway Library edition of *Hope Leslie*; and despite her protest against Knight’s ‘cheap’ *Married or Single?*, she also complained to her US publishers about their failure to supply the American market with competitively priced editions of her books. When she contracted with the Harpers for *Letters from Abroad* in 1841, she also contracted for a new stereotyped edition of *Hope Leslie*, which they issued in 1842. As she plaintively asked them in an 1855 letter about her copyright accounts, ‘Would it not be well to make a cheap edition of *Hope Leslie* & the smaller books for “rail-road literature”?’⁸⁰

After the spectacular British sales of *Uncle Tom’s Cabin*, American advocates for international copyright lamented the royalties Stowe had lost.⁸¹ Such claims rested on the dubious assumption that, priced high enough to include payment to the author, her novel would have sold the same number of copies — but might not the novel’s cheapness and availability in competing formats enabled by its public domain status have spurred the extraordinary sales? Sedgwick’s plea to the Harpers about ‘rail-road literature’ suggests she understood how price affected sales, as did the authorized London publishers of the *Letters from Abroad* and *Means and Ends*: by keeping the market supplied with their own cheap editions, they effectively deterred competitors.

When Sedgwick arranged for expensive authorized British editions of her novels of the 1820s and 1830s, she made them accessible for cheap reprinting in the ’30s, ’40s and ’50s. Ironically, these cheap British editions gave her novels of the 1820s and 1830s a larger and more diverse readership in Britain at midcentury than in the USA, where she began an undeserved slide into obscurity.⁸²

79 SFP VI.B, Box 80, Folder 24 (21 July 1857). This is a draft letter and no replies are extant.

80 Morgan Library (17 April 1855).

81 James Parton, ‘International Copyright,’ *Atlantic Monthly*, October 1867, pp. 430–51 (p. 430).

82 James Machor tracks her declining American reputation and mis-identification as a children’s author. *Reading Fiction in Antebellum America* (Baltimore, MD: Johns Hopkins University Press, 2011), ch. 5.