# ABRIEFE # 8 TREATISE

CONCERNING
THE REGULATING

## PRINTING.

Humbly presented to the PARLIAMENT Of England.

By WILLIAM BALL, Efg.

LONDON,
Printed in the Year, 1651.

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### BRIEFE TREATISE

The Regulating of Printing.



Mongst many temporall
Benefits which Divine
Bounty hath in severall
ages manifested to mankinde, the invention of the

Mystery, or Art of Printing may rightly be acknowledged one of the greatest, as an exact and exquisite Instrument, opening to the understanding, not onely all naturals Sciences, but even supernaturals Mysteries; by the meanes whereof the mindes of men have been endowed with many excellent gifts. Yet even as the best

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things have been abused, so hath this beneficiall Art been notoriously depraved by vaine, contentious, and seditious Perfons; to the great confusion of Doctrinall Tenets, and Disturbance of State-Affairs: For prevention (as much as may be) of so dangerous extravagancies, the most regular Christian Potencies (or Republicks) and Illustrious Potentates have thought fit to comprehend the liberty of Printing, (even as of Coyning) within the Sphere of their severall Powers: Wherein (amongst others) the late Q. EliZabeth, and her successors have (not without mature deliberation, and sage presidents in this point) been most vigilant, well perceiving that the Eye of understanding might be subject to be deceived by erroneous principles in Print, as may the bodily Eye by counterfeit Coyne; In Regard whereot they propagated wholsome Orders, and Decrees for the Regulating of Printing, and Printers; which rightly considered, cannot be defaced, no not blemished by the notion of Tyranny. Moreover it is

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an Axiom of State, that, Acta legitima Tyrannorum & Hostium Reipublica rata esse opertere. [Bodin. de Republica, L. 1. c.5.] The lawfull Acts of Tyrants, even of sover-Lording) enemies ought to be observed in a Common-wealth: so that admitting Oppression, or Tyranny in some Trans-actions of these Later Princes, yet their prudent, and just Ordinances are not to be Rejected, but rather (mutatic mutandis) to be carefully conserved.

Wherefore with all humble submission to the High Representative of this Natition, I have tendred these subsequent Proposalls and clauses concerning the Regulating of Printing, and Printers, unto their grave Considerations, and censures; part whereof I have collected our of former Ordinances, and have partly proposed somewhat of mine owne; as hereaster ensucth.

A 4 I. That

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That no person or persons whatsoever Print, or cause to be Printed any offensive Bookes, Pamphlets, Papers, or Ballads to the Derogation of this present Government, or seditious disturbance of this Common-wealth, or of any Dominion, Member, or Corporation thereof, nor shall sell, or dispose of any such Bookes, Pamphlets, Papers, or Ballads, upon Paine that he, or they so offending shall forfeit for every such Booke, &c. the summe of rol. The one halfe to the use of the Common-wealth, the other to the party discovering the same, and suffer such farther punishment as the Demerit of the Offence, or Offences shall deserve.

II.

That no person or persons what soever shall Print, or cause to be Printed any Booke or Pamphlet whatsoever, unlesse fuch Booke or Pamphler, and all, and every the Titles, Epiftles, Prefaces, Proems, Preambles, Introductions, Dedications, Tables, and all other matters. and things thereunto annexed, or therewith imprinted shall be first lawfully Licensed, and Authorised by such Person, or Persons as the Parliament of England shall in their wildomes constitute, and appoint; and that all, and every such Book, or Pamphlet be also first entred into the Register Book of the Company of Stationers; upon Paine that every Printer offending therein shall be hereafter for ever disenabled to exercise the Art, and Mystery of Printing, and suffer imprisonment by the space of one whole yeare: provided that this extend not to the Printers of the Parliament of England,

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land, and Councell of State, for or touching any Booke which they shall Command, or allow of.

#### III.

That all the Books concerning Divinity, Phylosophy, and Poetry shall be Printed by speciall Allowance of the Chaplaines in ordinary to the Councell of State, or by one of them; And in case of no such Chaplaines in being, then by three Divines for that purpose appoynted, or by one of them; All Books of State Affaires, and History (except Diurnalls) to be licenced by the Secretary of State, with two more of the Councell of State joyned unto him, or by one of them: All Books concerning Law to be Licenced by the Lords Commissioners of the greate Seale, Lord cheif Justices, Master of the Rolls, or by one of them; All Books touching Phisicke to be Licenced by three of the Colledge of Phisitians appointed for that purpose, or by

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one of them; All Books of Mathematicks to be Licenced be three professed Mathematicians, being appoynted thereunto, or by one of them; All Books of Military Discipline to be Licenced by three of the Councell of War, or otherwife of the Grand Committee for the Militia, or by one of them; All Books of Heraldry to be Licenced by the Principall Herald at Armes with two other Authorized Heralds joyned unto him, or by one of them; All Books concerning forraigne Languages to be allowed by three Linguists for that purpose appoynted or by one of them.

Provided that the Chancellors or Vice-Chancellors of the Universities shall Licence onely fuch Booke, or Books that are to be Printed within the Limitts of the Universities Respectively, but not in LONDON or else-where, not medling with Books of Common Law, matters of State, Military Discipline and He-

raldry.

#### IV.

That every Person, or Persons which are, or shall be appoynted, or Authorized to Licence Books, shall have two severall Copies entirely written; one of which Copies shall be kept in a Publicke Office, or Registrie for that purpose to be appoynted, the which Copy every such Person, or Persons who shall Respectively allow of, or licence for Printing shall send into the said office, or Registry testified under his, or their hands, to the end that he or they may be secured, that the Copy so licensed by him, or them, is not altered without his or their privity; the other Copy Licensed shall remaine in his hands whose Copy it is; and all Stationers, and Printers that shall Print, or cause to be imprinted any Copy, or Copies whatsoever differently from this Rule, to incurre the penalties contained in the second clause.

#### V.

That every Merchant of Books, or Perfon, or Persons what soever who shall Import any Book, or Books from beyond the Seas into this Common-wealth of England, shall before he, or they deliver, or cause to be delivered forth any such Book, or Books out of his, or their hands, or expose them to sale, deliver in a true Catalogue in writing of all and every such Book, and Books unto the Master of the Office, or Registrie for Copies aforesaid; upon paine of forfeiture, and Confiscation of all, and every such Book and Books, and twenty shillings fine for every such Book delivered forth, or exposed to sale; the one half to the use of the Common-wealth, the other to the Party discovering the same.

#### VI.

That no Merchant of Books, or Perfon, or Persons whatsoever shall import, or cause to be imported from beyond the Seas any offensive or scandalous Books, Pamphlets, Papers, Portraitures, or Ballads into any part of this Commonwealth of England, upon incurring the penalties contained in the first clause.

#### VII.

That no Person, or Persons whatsoever shall within the Precincts, and Dominions of this Common-wealth, or elsewhere Imprint, or cause to be imprinted, or shall Import or cause to be imported into this Common-wealth of England, or any part thereof, any Copy, Book, or Books, or part of any Copy, Book, or Books Printed beyond the Seas, or elsewhere, which the Company of Stationers, or any other Person, or Persons

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have, or shall have Right unto by Order or entrance in their Register-Book; or otherwise by speciall Order of Parliament, or by Letters-Patent, being unnalled by this present Parliament; nor shall binde, stitch, or expose to sale any such Book, or Books, upon paine of forfeiture all the said Books, and twenty shillings sine for every such Book, to be sued by Writ, or Action, Bill, &c. by the Person, or Persons aggrieved.

#### VIII.

That every Person who shall hereaster Print, or cause to be printed any Books, Ballads, Charts, Portraictures, or other thing, or things whatsoever, shall thereunto, or thereon set his, and their owne name, or names; as also the Name, or names of the Author, or Authors, Maker, or Makers of the same; and by, or for whom any such Book, or other thing is, or shall be printed, upon payne of forseitute of all such Books, &c. And having

having his, or their Presses, Letters, and other Instruments for Printing to be utterly defaced, and made unserviceable, and twenty shillings fine for every such Book, &c. The one half to the use of the Common-wealth, the other to the Party discovering the same.

#### IX.

That no person, or persons whatsoever shall Print or cause to be Printed, forge, put, or counterfeit, in or upon any Book, or Bookes, &c. the name, title, marke, or vinnet of the Company of Stationers, or of any particular person, or persons which hath, or shall have lawfull Priviledge, Authority, or Allowance to Print the same, without consent of the said Company, or of the Party, or Parties which shall be so priviledged, and Authorized, first had, and obtained, upon paine of incurring the Penalty in the seventh clause.

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#### X.

That no Tradesmen, Shop-keepers, or any other person or persons whatsoever, not being a free Stationer of the City of London, or not having served 7. years apprentic to the trade of Book-seller, Printer, or Book-binder, shall within the City, or Suburbs of London, receive, take, or buy, to barter, sell againe, exchange, or doe away any Bibles, Testaments, Primmers, Psalm-books, Almanacks, or other Book, or Books whatsoever, upon paine of forfeiture of all such Books, and twenty shillings fine for every such book, to be sued by Writ, or Action, Bill, &c. by the person, or persons aggrieved.

#### XI.

That no Stranger, or Forreigner whatfoever, be suffered to bring in for sale, barter, or rent, here, any book or books printed beyond the Seas, in any Lan-

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guage whatsoever, either by themselves, or their secret Factors, except such onely as be free Stationers of London, and such as have been brought up in that profession, upon paine of confiscation of all such Books so imported, and twenty shillings sine for every such Booke to be sued by writ, or Action, &c. by the Master, and Wardens of the Company of the Stationers.

#### XII.

At 1 for as much as there may be great abuse committed by Searchers, and other Officers of the Customes by seizure of Books, who (as I have heard credibly reported) seize English Bibles, Testaments, & other Books, Printed in Holland, and in other parts beyond the Seas very erroniously, to the dangerous introduction of severall Heresies within this Common-wealth, and great Injury to such, to whom of right the Copies or Originalls of such Bookes belong; and after such

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such solving as it is said first exacted custome in Groffe) vent, and difperse the said Bibles, Testaments, and Bookes, in England, Ireland, and other Dominions of this Common-wealth: for prevention whereof, no Searcher, nor other Officer of the Customes or excise whatsoever shall hereaster seize on any Books (if discovered) before he first acquaint the Master of the Office, or Registrie for Copies aforesaid, together with the Master, and Wardens of the Company of Stationers, (upon pain of forfeiture of his, or their Places, and Imprisonment) who shall have Power to accompany such Searchers, and Officers of the Cultomes: and shall forthwith upon discovery, take a true Catalogue of such Bookes, and present it to the Honourable Councell of State: And to prevent the farther venting, and dispersing of such erronious Bibles, Testaments, and other Bookes as aforefaid, after notice given unto the Honourable Councell of State, the said Master of the Office, or Registrie B 2

for Copies, together with the Master, and Wardens, of the Company of the Stationers, or some of them, shall cut, or cause to be cut into waste paper, or otherwise utterly deface the said English Bibles, Testaments, and other Bookes printed in Holland, and in other parts beyond the Seas, and deliver the said waste paper, or defaced Bookes, to such to whom of right the Copies, or Originalls doe belong.

#### XIII.

Moreover for farther prevention of Importation, venting, and dispersing of Seditious, Schismaticall, and Offensive Bookes, as well as of the Bookes aforesaid; That no Driefats, Sacks, Maunds, Chests, or Fardells of Bookes whatsoever Imported into this Common-wealth be permitted by any Officers of the Custome or Excize, to be opened or conveyed away before notice given unto the Master of the Office, or Registry for Copies, and

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and also to the Master, and Wardens of the Company of Stationers (upon paine of fuch Officer, or Officers forfeiture of his, or their Places, and Imprisonment, And the said Master of the Office, or Registrie for Copies, as also the Master and Wardens of the Company of the Stationers shall have Power to accompany the Searchers and other Officers of the Customs, and excise within 48. houres after fuch notice given (Sabbath-Dayes, and dayes of publick Thanksgiving, and of Humiliation being excepted out of the fayd 48. houres) and shall also have Power to seize on all Seditious, Schismaticall, and offensive Books, and forthwith take a true Catalogue of such Books, and present it to the Councell of State; and after that carry the faid bookes into the Stationers Hall, there to remaine in safe custody, untill farther order taken by the Councell of State; And the said Master, and Wardens of the Company of the Stationers, if they cannot performe the same by themselves, shall have

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Power

Power to depute and nominate from time to time, sufficient persons in his, ot their stead, provided that at all times one of the faid Masters or Watdens be present at every search; And the said Ma-Rer of the Office, or Registris for Copies, and the Master, and Wardens of the Company of the Stationers, shall have power to appoint some convenient place where searches shall be made; and if the faid Master of the Office, or Registrie for Copies, Master, and Wardens of the Company of the Stationers shall neglect, or omit on their patts any thing, or Duty which they ought to performe herein, they shall incurre such penalty as the Councell of State (upon Information of such their neglect, or offence; shall in their wisdomes thinke fit, be it by fine, or Imprisonment.

XIV.

That no person, or persons within the City of London, liberties thereof, or elsewhere, shall creat, or cause to be created any Presse, or Printing house, or shall demise, let, or suffer to be held, or used any House, Vault, Seller, or other roome whatfoever to, or by any perfons for a Printing house, or place to print in, unlesse he, or they who shall demise, let, or suffer the same to be used, shall first give notice to the Masters, and Wardens of the Company of the Stationers of such Demile, or suffering to work, or print, upon paine of forfeiture of 201. for every such offence, the one balfe to the use of the Common-wealth, the other to the party discovering the same.

XV.

And for the better discovering of printing incorners without Licence, the B 4. Master,

XIV.

Master, and Wardens of the Company of Stationers, or such whom they shall depute and trust, shall have Power, and Authority, to search what houses, shops, vaults, and rooms (and at what time they shall thinke fit) especially Printing houses, and to view what is in Printing, and to call for the Licence to see whether it be Licenced or no, and if nor, to seize upon so much as is printed, together with the Presses, and all Instruments for printing, and to carry the offenders before the Councell of State, or the L. President thereof for the time being, to take such farther order therein, as they shall in their wildomes lee caule.

#### XVI.

That no Joyner, Carpenter, or other person shall make any printing presse, nor Smith shall forge any Iron-worke for a printing presse, nor Founder cast any letters for any person, or persons whatsoever, nor shall any person or persons

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fons bring in from any parts beyond the eas any letters founded, or cast, nor buy any such letters for printing, unlesse he, or they respectively shall first acquaint the said Master, and Wardens, or some of them for whom the said Presse, Ironworks, or Letters are to be made, forged, or cast, upon paine of Imprisonment, and such farther penalty as the Councell of State shall think sit.

#### XVII.

Whereas the multitude of printers is greatly increased by the late licencious and by-printing of unlicenced pamphlets, and other seditious and impertinent books, and papers, to the great scandall of this Common-wealth, and their owne disgrace, ignominy, and want of good, and sufficient employment, and maintenance; for present remedy where-of, the Printers attempt a cure as bad, or worse then the disease, by petitioning the Honourable Committee for regular

ting of Printing, that they would be pleased to report to the High Representative of this Nation, that the said Printers might be made a Fraternity, or Company distinct from the Stationers; against, and in opposition of such their not only unsound, but even dangerous Petition, and desires, I have thought six to insert these ensuing Reasons, viz.

That Printing being of great concernment, and of important consequence, by meanes whereof this Common-wealth may either enjoy benefit, or receive notorious detriment; Princers therefore ought to have some carefull, and exact supervisors over them, even as Apothecaries (who have the Colledge of Phyfitians, and Doctors of Phylique over them, not only to prescribe, but also to peruse their Medicines) lest the first poyson the mindes of the People by erromous principles in print, as may the last their bodies, by evil Medicines, and also by felf-compliance (in case they should be a Fraternity, or Company distinct froin

from the Stationers) Print undecently, how, and as they please according to Letter, and Paper (as do some Printers in Amsterdam and Geneva) to the dishonour of this Common-wealth, discontent to the people, and pre-purposed detriment of the Stationers whom they maligne, and inveigh against, and would (in regard of their present pressures occasioned by themselves) undermine by specious pretences: who norwithstanding are chiefly the men which this Commonwealth can subordinately intrust (in respect of their skill, abilities and long continued industry that waies) to supervise the Art and Mistery of Printing, and Printers. And if they should say that the Apothecaries seperated themselves from the Grocers, and became a Company distinct, and why may not the Printers doe the like? I answere, that the case is not alike, for the Apothecaries fell for the major part compounds for Medicaments, and the Grocers simples for Nutriment, being things of a distinct nature

nature, and quality; but the Printers, their desires) be subbordinately perforthe Stationers, there would be none liberties of the Citty of London. found, who might subordinately Regulate, and reforme such abuses, and disorders which those Innovating, and meane undertakers may in all probability from time to time commit.

#### XVIII.

Morcover it is a Maxime of Policy, as well as of Philosophy, that Frustrasit per plura, quod potest sieri per pauciora; medo ita bene fiat: That thing is in vaine done by more, which may be done by lesse, in case it may be as well accomplished: The Regulating of Printing, and Printers, may, not onely for the welfare of the Publique, but even for the good of themselves (if not exorbitant in their

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Book binders, and Stationers make, and med by the Stationers, without any creasell nothing but a booke, &c. However ling, or making the Printers a distinct the Apothecaries are subject to the Do. Company. If the number of the Prin-Gors of Physique as aforesaid, and if the sing-houses in London were stinted, and printers should exempt themselves from mone of them suffered to be without the

If the number of Printing presses were llimitted.

If the number of Apprentices were also limited.

If the Master and Wardens of the Company of the Stationers take good care, that Journeymen-Printers (who are free of the Company of Stationers) of honest behaviour, and able in the Art or Mysterie of Printing, be employed and fer on worke; and in case such Journeymen Printers are in want of worke, Apprentices to be removed from such employments as any Journeymen-Printers of good behaviour shall offer themselves unto.

Lastly, if the Printers themselves will be subject to the good Orders and Con**stitutions**  stitutions of the Company of Stationers concerning all which (as also the price of useful Books) I conceive the Master Wardens, and other able and experienced Stationers, are the sittest men to be consulted with.

#### XIX.

But it may be greatly suspected, that the Bible, Testament, and some of the Stationers Copies and Originalls, are the Baits which the Printers would catch, or compasse: As touching the Bible, I take it to be a book of so high consequence, wherein the Mysteries of Salvation are contained, that it ought to be regularly, and exally, and not communicatively printed, lest in a Book of so high importance, not onely dangerous Errors, but even pernicious Herefies be imprinted, and propagated, and the Book it felf be also undecently Printed in Letter, and Paper; And for as much as Propriety (rightly) considered is) Relatio Legalu cujustibet in

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Bonum Temporale, A legal! Relation of any one to a Temporall good; I conceive the sole Printing of the Bible, and Testament, with Power of Restraint in others, to be of Right the Propriety of one MATHEW BARKER, Cittizen and Stationer of LONDON, in Regard that his Father paid for the Amended or Corrected Translation of the Bible 3500.l. by reason whereof the Transla. ted Copy did of right belong to him, and his Assignes, yet for the better carrying on of so Important a Work, and the Regulating of an Impression of so great concernment, in the fourteenth yeare of King Fames his Reigne, he continued Letters Patents granted to Robert his Sonne; fince when in the yeare of our Lord 1635. for the farther carrying on, & Regulating of the faid Important Impression, there hath beene payed by Mathew Barker aforesaid 600 l. for a Reverfionary Patent.

If it be said, that Mathem Barker his Father made, or might have made bene-

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fit enough by his fole Impression of the Bible, &c. For the costs, and charges which he was at for the amended, or corrected Translation thereof, so that Mathew Barker himself neede not have a farther benefit thereby: I answere, so doth every one of the Stationers who purchaseth a Copy, or Copies make benefit enough thereby, and yet he enjoyeth fuch Copy, or Copies for himself, and his Assignes, and so ought to do, or else any other might invade his Right: so also every one who purchaseth Land at the valuation of 18. or 20. yeares Revenew, be it more, or lesse; make at or about the determination of such time sufficient benefit for his purchase, yet there is no Law, nor any reason that himself, his Heires, or Assignes should be excluded, or debarred of the Remainder, &c. That were to Nul all Law, violate all Right. And certainely according to equity (if not Law) Mathem Barker ought to succeede his Father in the sole printing of the Bible, &c. both in regard of his **Fathers**  Fathers costs & charges; as also in respect of his owne Patent Purchased dearely enough, in regard it was for Reversion.

But it may be some will say, that divers may make benefit by Printing of the Bible, and Testament, whereas if Mathew Barker enjoy the sole Printing thereof, himself will also enjoy the sole benefit thereby for him, or his Assignes: to the which I answere, the same may be objected against Miles Flesher, and his Partners, fole Printers of all Law-Books; against Fohn Feild sole Printer of all Acts for this present Parliament; against William Dugard sole Printer for the Councell of State; against Richard Cotes, sole Printer of all Acts, Proclamations, and other matters for the City of London; against the University-Printers of Oxford, and Cambridge, who enjoy also the printing of the Bible by Patent; against the Company of the Stationers themsclves who enjoy by Patent four severall Books, viz. The Plalter, Plalmes, Primmer, and Almanack; yea this may

If any one should object (as lately a Stationer did unto my selfe) that the Bible cannot properly be called a Copy,

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because it is the written Word of God: although such objection be frivolous, yet to such I answere, that the severall Translations thereof are properly copies, as are the singing, or Meetred Psalmes also belonging to the Company of the Stationers aforesaid, Erasmus his Latine Translation of the Testament, and many others of the like nature.

#### XX.

Peradventuce some greedy, and it may be needy Printers, and Stationers, will not be satisfied with Reason, unlesse they may against reasonable equity, invade other mens Proprieties, and Rights. But I hope the High Representative of this Nation, at what time they shall in their wisdomes thinke sit to passe an Act, or Acts for the Regulating of Printing, will therein by expresse Provises confirm, and ratisse not onely the propriety of Mathew Barker asoresaid, for him, and his Assignes, but all such other Propriety

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WILLIAM BALL.

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Certaine Additionall Answers to such Objections, as may peradventure be made.

Fitshould be said that the Penalties which I have proposed are too great, and also that Penalty left to discretion, in some cases may seeme Rigor.

I answer, that Abuses are seldome reformed without great Penalties; and in Regard as great Detriment may ensue to a Common-wealth by scandalous, and erroneous Printing, as may by counterfeit and debased Coyning, The Penalty for the one, ought in some measure to æqualize the Penalty of the other: And Penalty in some cases left to the Discretion of grave Personages is not Rigor, but Prudent Terror, which may be regulated by Naturall Equity.

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#### II.

If it should be said, that the Commissioners of the Great Seale, Judges of the Law, Secretary of State, and some others whom I have nominated for Licencing of Bookes, may in Regard of their great, and weighty Assaires want leisure to peruse, and Licence Books, &c.

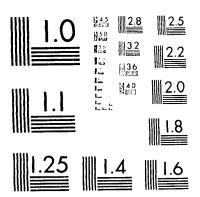
I answer, that every one of the said Persons and others who shall have power to licence, may have power to entrust, and depute one for them, provided themselves will be responsible for the errors which such Deputies shall Commit, and that such Deputies set their owne names, and the names for whom they are deputed unto such Bookes, &c. which they shall Licence.

#### III.

If it should be said, That requiring double Copies, and an Office for Regi-

stry thereof would be vexatious, &c. I answer, that the abuses to Licensers, as also to Authors have been so great, (as my selfe, amongst others can testifie in a late Booke of mine owne) that no safer way can be found; moreover why should not those things which appertaine to the minde be kept upon Record, as are many things that appertaine meerely to Livelyhood; and whether men write for the Glory of Almighty God, and good of others (which ought to be the chiefe ends) or the profit of themselves, let them take so much paines as to write the subject twice, or otherwise spare their paines for once. And if it should be said. that by that meanes fewer bookes will come into the Presse, I answer, not the numerous multitude of Bookes, but the folid validity of them will benefit a Common-wealth.

William Ball.



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