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Annika Bautz

## **Transatlantic Business: Edward Bulwer-Lytton and the American Literary**

### **Marketplace**

This essay focuses on the transatlantic literary marketplace, using Edward Bulwer-Lytton and three of his historical novels – *Rienzi* (1835), *The Last of the Barons* (1843), and *Harold, the Last of the Saxon Kings* (1848) – as a case study. It investigates the factors that contributed to Bulwer’s superlative position, as well as how he shaped and used his literary authority to negotiate profitable business agreements in the context of the transatlantic reprint trade.

While nearly obliterated in the twentieth and twenty-first centuries, Bulwer was immensely popular and influential for many decades, on both sides of the Atlantic, with a literary career that spanned from the 1820s to his death in 1873. He then plummeted at the beginning of the twentieth century. As Andrew Brown reminds us, ‘virtually none of his contemporaries had as far to fall’, with Bulwer being ‘next to Dickens [...] the most consistently successful novelist of his generation, while his total *earnings* were even higher’ (Brown 2004: 29–30).

In the twentieth and twenty-first centuries, changes in tastes and culture, combined with Bulwer’s style and some of his personality traits – the latter of which made him many enemies among his contemporaries, too – led to his near eclipse as a literary figure.<sup>1</sup> This obliteration however was preceded during his lifetime by superlative popularity and status.

On both sides of the Atlantic, Bulwer was read by vast readerships, but was also highly acclaimed in critical terms. Publishers vied to have him on their lists, not just for his works’ economic potential but also because they were seen as safe, edifying, and high quality: claiming Bulwer gave a publishing house status. Bulwer was highly conscious of his authority in the literary marketplace. This position enabled him to negotiate deals with

publishers on both sides of the Atlantic that the trade had never come across before. Because of his popularity, status, and knowledge of the market as well as his own value within it, his ability and willingness to negotiate and determine each detail in the publication process, his dealings with publishers illuminate the various ways in which profit could be gained from texts in the nineteenth-century transatlantic publishing world.

An important factor in his literary authority was his self-fashioning – and his coming to be seen – as Scott’s successor. Like Scott, Bulwer was immensely prolific – he wrote almost 30 novels, in addition to plays, poetry, history, and hundreds of periodical essays – and like Scott, he was made a baronet for his services to literature. Bulwer was many things as well as being a novelist, most significantly a politician (first a radical MP in the 1830s, later a Tory MP in the 1850s). Like Scott, Bulwer in his historical novels was interested in issues of national identity, which he discussed, for example, in *Harold*. While his view of history was in fact quite different from Scott’s, a mixture of nostalgia and progressivism permeates the works of both authors, and both authors’ novels were immensely popular and highly regarded throughout the nineteenth century, on both sides of the Atlantic.

### **Transatlantic Reprint Trade: Lack of Copyright**

As Eve Tavor Bannet and Susan Manning point out, American political independence resulted more in a renegotiation of the relationship between the US and the UK than a severing of ties (Bannet and Manning 2012: 3), so that during the nineteenth century, American print culture remained close to the British one. From American Independence onwards, the number of books printed in the US continuously increased. In 1778, the number of titles printed in the US was less than 500, but rose to over 1,800 by 1789 and again to 15,000 titles between 1790 and 1800, and continued to increase in the ensuing decades (St Clair 2004: 383). All aspects of the American printing industry expanded, while alongside it,

as Michael Winship has shown, international trade grew exponentially, particularly exports from Britain and imports into the United States (Winship 2000: 99). There were American authors who were exported to, and reprinted in Britain, such as Royall Tyler, Charles Brockden Brown, James Fenimore Cooper, and Washington Irving (Bannet and Manning 2012: 2), but the number of British-authored books exported to and printed in America was far higher (Winship 2000: 99). Until the middle of the nineteenth century, the vast majority of titles offered by American publishers were British reprints (Goodrich 1857: 388–91; Rezek 2015: 34–35).

Bulwer's, and any British author's, reception in the United States was determined by a lack of copyright. From American Independence in 1776 to the passing of the Chace Act in 1891, there was no copyright treaty between Britain and the United States, despite many attempts, notably by Dickens and Bulwer.<sup>2</sup> British copyright applied only to the works of British authors within Britain, and did not protect either works by British authors abroad, or the work of foreign authors in Britain (Winship 2000: 101). Similarly, in the United States, copyright only applied to the works of American citizens in America. In Europe, copyright agreements between Britain and Prussia were successfully negotiated in 1846, and between Britain and France in 1851, but not with the US (Seville 2009: 221). The Berne convention of 1886 standardised international copyright more broadly, but the US did not join this treaty. Indeed, as Meredith McGill has argued, the refusal to grant international copyright was by no means an oversight but a 'substantive measure', with Congress repeatedly rejecting international copyright bills and denying petitions signed by Britain's and America's most prominent authors (McGill 2007: 81). Indeed, even the Chace Act did not grant straightforward copyright protection but had a manufacturing clause stating that a publication needed to have been typeset in the US to gain copyright (West 1992: 304). This meant that

British publishers could still see their works appear in America without copyright protection if the edition had not been typeset in the US.

The lack of copyright throughout the century had far-reaching consequences for readers, publishers, and authors; indeed, William St Clair argues that it was ‘the single most important determinant of the reading of the new republic for nearly a century’ (St Clair 2004: 382). One of the effects of the lack of an international copyright agreement was that it was more lucrative for American publishers to reprint British authors than to pay American ones: It enabled profit margins that resulted in many American publishers perceiving debates about copyright as a threat. Eugene Exman suggests about Fletcher Harper, for example, that ‘English novels made a publisher out of [him]’ (Exman 1967: 54). But the absence of copyright also led to complaints by American authors that Britain ‘retain[ed] an ideological foothold long after her political dominion had ceased’ (Seville 2009: 223; also see Zboray 1987: 435). By the middle of the nineteenth century, however, the number of American-authored texts published in the US had overtaken those by British authors (and indeed, the reprint trade of American works in Britain began to flourish particularly from the 1850s onwards) (Seville 2009: 222; Goodrich 1857: 388–91; 552–53).<sup>3</sup> In the US, the lack of international copyright made it more difficult for unknown American authors to get published, although a popular author like Cooper could command \$5,000 for copyrights to his novels in the 1820s. As the cost book of Carey & Lea shows, the copyright payment was by far the largest cost and meant that it took several months for the firm to make a profit from a novel by Cooper (Kaser 1957: 79–80; Kaser 1963: 52). British authors, including the most popular ones who could demand huge sums in the UK, could be reprinted in the US without any copyright costs to the publisher. Bulwer and Dickens famously argued against the perceived immorality of the booming reprint trade, but of course, as they knew and as British

and American publishers knew, in the absence of a bilateral copyright agreement it was perfectly legal to reprint a foreign author's text (Patten 1978: 169).

For most British authors, the lack of international copyright meant that they usually received no profits from the sale of their work in the expanding American market. Jane Austen, for example, as far as we know was not even aware of the publication of *Emma* in America during her lifetime, and certainly was not paid for it (Gilson 2002: 517). Some payment could be obtained for exceptionally popular authors' works, such as those by Scott, Byron, Dickens, and Bulwer, in ways discussed below, but given the lack of copyright, Bulwer's profits from American sales of his works were necessarily limited. He was, however, savvy and business-minded even about relatively small sums, and ensured he realised some profits at least. Bulwer's contracts with his British publishers specified that the right to foreign editions belonged to him, which enabled him to negotiate with foreign publishers himself.<sup>4</sup>

In the US, and other countries with which the UK did not have a bilateral copyright agreement, all he could sell was his promise to ship over the proof sheets of the British edition, thereby enabling a foreign publisher to gain a head start over any other publishers, who would have to wait for the first edition to be sent over and then print their editions from that. The practice of sending sheets was not new; it had been inaugurated by Scott's British publisher Longman, who had first shipped advance sheets to M. Carey & Son in Philadelphia in 1817. Carey offered Scott's next British publisher, Constable, £55 (about \$250) in 1822 'for advance copy of any future Waverley novels' (Kaser 1957: 103; Todd and Bowden 1998: 451). This then innovative practice gave Carey a head start: Joseph Rezek has shown how beneficial the dealings between Scott's British publishers, Constable and Cadell, and Mathew and Henry Carey in Philadelphia were to both firms (Rezek 2015: 40–61). Such was the demand for Scott's novels in America that 'even a twenty-four hour advantage could

result in enormous profits for the reprinter who published first' (Rezek 2015: 43). Constable and Carey therefore arrived at an agreement that meant Constable sent advance sheets of a Scott novel over the Atlantic as soon as each volume was printed.<sup>5</sup>

For Scott, and most British authors, rights to foreign editions were the publisher's. Routledge's standard contract proforma, for example, included 'the absolute sale of all [the author's] copyright and interest, present and future, vested and contingent, or otherwise of and in [the work]'<sup>6</sup> – so if there was opportunity to negotiate profit from foreign editions, it was the publisher's. By contrast, Bulwer ensured that he could negotiate and profit himself from his works. That this was not common is testified to by letters from foreign publishers to Bulwer's British publishers expecting the negotiations to take place between the publishers, without the author (letters his British publishers duly forwarded on to Bulwer as the rights to foreign editions rested with him, following the agreements he set up). For example, Bentley wrote to Bulwer in 1857 forwarding a letter from an Utrecht publisher who was 'offering to purchase early sheets of your new Romance advertised by me, for a Dutch translation. With this of course I have nothing to do'.<sup>7</sup>

For sending advance sheets of the *The Last Days of Pompeii* in 1834 to Harpers, Bulwer received £100, but he demanded £150 for his next book. Harpers sent him a long letter in January 1835 in reply, explaining why they thought it an unreasonable demand, first and foremost because, 'having no copyright, we cannot prevent [...] interloping', citing a rival edition of *Last Days*, published by Wallis and Newell,

printed upon us within a few days after the appearance of our edition, in a different and inferior style, and sold at 37 ½ cents per copy – about 1/6 sterling – the lowest price at which we could afford ours, so as to realize even the smallest profit, being more than double the sum. (Harpers to Bulwer, January 1835)

In the end Bulwer got his way, with the Memorandum of Agreement drawn up on 7 April 1835 specifying £150 per three-volume novel:

Mr Bulwer agrees to forward to Harper & Brothers early copies, in sheets, as they come from the press in London, of all works hereafter to be written and published by him, so as to ensure to them possession of the said copies, a sufficient time before the works can be received by any other person in America, to enable them to reprint for publication in that country. And Harper & Brothers in consideration thereof, agree to pay for the said copies at the rate of Fifty pounds sterling per volume. (Memorandum of Agreement, 7 April 1835)

Even in the January letter, the first relating to the matter, Harpers stressed that they would comply if Bulwer did not agree with the reasonableness of their arguments, and then sent a further letter in March, again emphasizing that of course they would comply with his request if he thought it a fair request to make, before sending the memorandum in April conceding to Bulwer's terms. In spite of the risks, and limits to profit, gaining a head start on Bulwer publications, and being seen as his foremost publisher in America, were prizes too profitable and prestigious to give up.

In order to secure British copyright, a text needed to be printed in Britain before it was printed in the US, but as soon as it was printed in Britain, copies could be shipped to the US where any publisher could then reprint it. Timings were therefore crucial, as is evident from the contracts Bulwer drew up with his British publishers, as well as with Harpers: As we have seen above, Bulwer specified in the contracts with his British publishers that he should be the beneficiary of any non-UK profits, but he also stipulated, in order to uphold his agreement with the Harpers, that the publication of his novels in Britain should be delayed, to ensure the Harpers gained the head start they had paid him for. In the draft contract for *Harold*, for example, drawn up with Bentley 1848, Bulwer specified that



the sole and exclusive right of sending proofs abroad for the purpose of a client in Europe and the United States shall rest with the said Sir E. G. E. L. B. [Edward George Earle Lytton Bulwer] and that he shall enjoy for his own benefit all profits so arising – [...] that proofs shall be furnished him for the said purpose – [and that] a clear fortnight be allowed from the completion of the printing such work – & the day of its publication in England.<sup>8</sup>

In spite of these measures, ensuring Harpers were indeed the first publishers to get hold of the latest Bulwer novel proved not always easy because of the tight time frames and the unreliability of the ships carrying the proof sheets. Repeatedly, other US publishers got hold of a printed copy of a novel before the last sheets reached Harpers. In February 1836, they wrote:

‘Rienzi’ has been well received in this country, and has sold extensively. The irregularity in the arrival of the packets, we are sorry to inform you, put Messrs Carey & Hart of Philadelphia, in possession of a perfect copy of the work before we received the whole of the copy sent to us by you. They printed and sold the work at less than two shillings sterling. We did the same – so that nothing was made by publishing it. In all cases where duplicate copies are not sent there is no certainty of our receiving the first copy. (Letter to Bulwer, February 1836).

As timing was crucial, and what the Harpers paid Bulwer for, they repeatedly urged for a variety of measures. As well as asking for duplicate copies to be sent via different ships, they also asked that in addition to the printers’ proofs of most of the novel, ‘the last sheets of the *manuscript* would be copied and forwarded to us before they were delivered to the printers in London, as [...] the only possible way in which the earliest copy can be secured to us’ (letter to Bulwer, September 1836). Bulwer’s popularity, while on the one hand securing profits, on the other led to heightened competition. In the case of *Rienzi*, as they were to do on future

occasions, Harpers still paid Bulwer the £150 agreed on, although they had not been, as the memorandum had specified, the first to receive the novel in America. In spite of the uncertainties and risks, Harpers continued to pay Bulwer £150 per three-volume novel until his death.

### **Owning Bulwer**

While foreign texts could legally be reprinted by any publisher in the US, by the 1830s, the practice of trade courtesy, or *de facto* rather than *de jure* copyright had become common, which attempted to establish the rights of the American publisher who had first declared his intent to publish a British work, as if it was under copyright (Winship 2000: 101). For the majority of authors, this self-regulation in the publishing trade was adhered to: Jane Austen, for example, as Janine Barchas has shown, was regarded as one publisher's property from when Carey & Lea first introduced her works in 1816 and again in the 1830s to when all her novels were stereotyped in 1855 by Bunce & Brother, following which, for decades, the owner of the plates was the sole publisher of Austen in the US (Barchas 2019: 167–79). The plates were sold and bought by different publishers several times,<sup>9</sup> but at no point was the ownership of the plates, and therefore Austen, undercut by a rival edition, showing how trade courtesy worked in practice in an unregulated marketplace.

However, courtesy of trade was not law but a gentlemen's agreement and 'tended to break down [...] whenever the British book in question was a particularly attractive prize', with factors such as 'delays in the delivery of [advance] sheets, disputes over the priority of claims, and upstart competitors' contributing to rendering trade courtesy unenforceable (West 1992: 303; McGill 2007: 105). Austen's works in the US, for most of the century, had low print runs and sales (Barchas 2019: 173-176), so the incentive for breaking trade courtesy was also low. By contrast, Bulwer's superlative popularity, as Harpers repeatedly explain to

Bulwer in their letters, in spite of Fletcher Harper having launched Bulwer in America in 1827 and therefore considering him his author, meant that trade courtesy broke down repeatedly even in the 1830s. Rival editions were printed immediately after Harpers' edition, or, where advance sheets were delayed, even before Harpers could get their edition out. The rise of the mammoth weeklies, with their reprinted instalments of novels in the 1830s and 1840s caused a change in trade courtesy practices, as 'proprietors of the mammoth weeklies showed little concern for gentlemen's courtesy [...] [forcing] established publishers to forego previous agreements' (DeSpain 2014: 22). However, Harpers' *de facto* priority rights where Bulwer was concerned were repeatedly disregarded even before these developments, testifying to the profits that could be made through his texts.

In order to counter competitors, Harpers developed strategies to proclaim themselves as the foremost Bulwer publishers in the US, authorised by the author himself. One such strategy was to emphasise the author and the author's whole oeuvre through advertisements and through their editions. In their magazine, too, they included articles on and images of Bulwer. As DeSpain suggests, 'With so many versions of any one text available, reprinters sought ways to make their edition stand out' (DeSpain 2014: 1). Harpers' Bulwer editions were uniform, and they stereotyped all of his novels in both octavo and duodecimo format (letter of 23 April 1839), evidently highly confident of sales. In 1837, they told Bulwer that 'with our new uniform edition of your works, we give your portrait, copied, on steel' (letter of 25 May 1837), thus again emphasizing the author and their relationship with him. On title pages, Harpers' editions referred to him as 'the author of', which was of course common practice in the UK, too, but Harpers usually gave the titles of about four of his novels, in comparison to one or two that Bentley or Saunders & Otley tended to list, and this listing, too, was a means for Harpers to stress Bulwer's other publications and their association with his works (Harpers could claim all of Bulwer's works in a way that Bentley or Saunders &

Otley of course could not, as Bulwer changed his UK publishers repeatedly). For *The Last of the Barons* for example, Saunders & Otley's 1843 title page of the first edition states that the novel is by the author of *Rienzi*; by comparison, Harpers' 1843 edition gives 'By Sir E. L. Bulwer. Author of *Pelham*, *Rienzi*, *The Last Days of Pompeii*, *Ernest Maltravers*, &c.'. Similarly, for *Harold*, Bentley's 1848 edition states 'by the author of *Rienzi* and *The Last of the Barons*', referring to two historical novels, whereas Harper's 1848 edition gives four titles again: '*Lucretia*, *Rienzi*, *Zanoni*, *Pelham*, etcetc'. Similarly, in their catalogues, Harpers listed all of Bulwer's novels, and offered collected editions as well as the individual novels. Furthermore, listings were sometimes preceded by a quote from a leading periodical praising Bulwer as an author of an entire oeuvre, rather than singling out individual works. For example, Harpers in the 1855 Catalogue used a quote from *Blackwood's Magazine* to head up the Bulwer list:

To Bulwer [...] we assign the highest place among modern writers of fiction. There is always power in the creations of his fancy; he is always polished, witty, learned.

Since the days of Scott were ended, there is, in our apprehension, no pinnacle so high as that on which we hang our wreath to Bulwer.<sup>10</sup>

The use of a British rather than a national periodical here may have been an attempt at giving the statement more authority. Furthermore, Harpers' editions stress quality, presenting themselves as publishers of high-quality works in high-quality editions. One of the reasons for not being able to compete with cheaper reprints of Bulwer's novels, for example the rival edition of *Last Days of Pompeii* referred to above, printed 'in much smaller type and on paper of inferior quality' is that Harpers' higher-quality editions cannot undersell it:

We must go on as we have begun – our editions must be uniform. [...] [W]e cannot sell two 12 mo. volumes of 300 pages each, for less than, or as little as, one can be afforded at, printed on type so small that the whole work is crowded into 260 pages.

[...] [C]heap editions can and do hurt us materially, more especially when you consider that the publishers of them have nothing to pay for the copies from which they print. (Letter of 7 April 1835)

They are proud of ‘the high character as publishers we enjoy, throughout the Union’ (letter of January 1835), to which Bulwer’s novels contribute, being both popular, seen as high-quality, and, crucially, as safe and suitable for family reading. Harpers started their Family Library in the 1830s and marketed themselves as publishers of fiction that was suitable for reading aloud in a family circle (Exman 1967: 31). As Exman suggests, Bulwer’s novels were safe, unlike Hardy’s, for example, who was reminded even in the 1890s that Harpers wanted texts that were suitable for family reading (Exman 1967: 76–78). Robert A. Gross points out that Harpers’ Family Library series took its inspiration and most of its titles from the series of the same name inaugurated by John Murray in London (Gross 2010: 30), which serves as another example of how close American print culture remained to British practices. Including Bulwer on one’s list was desirable for publishers on both sides of the Atlantic; his name signified status as well as safe and educational reading – and popularity. There are numerous records of British publishers writing to Bulwer, hoping to have ‘the honour of [...] becoming [his] Publisher’.<sup>11</sup> Routledge went to huge cost and risk when agreeing a deal with Bulwer in 1853 that paid Bulwer the immense sum of £20,000 for the rights to publish 20 of his novels in the Railway Library, for ten years, in cheap editions of two shillings or below (George Routledge to Bulwer, 30 September 1853) – novels that had been in the market for years, some for decades, in more expensive editions. Routledge were aware of Bulwer’s status, and by including him could claim education as one of their motivations in publishing cheap editions.<sup>12</sup> Their financial calculations paid off: They renewed the deal for a further ten years at its expiration in 1863, and printed Bulwer’s novels in editions of 2s, 1s or 6d in print runs of c. 40,000 copies over the 20 years from 1853 to 1873, far higher than any other British

editions.<sup>13</sup> On both sides of the Atlantic, then, publishers wanted to include Bulwer's works in their lists, on the one hand because it was certain that they would sell, but on the other, because association with him gave status and prestige, so that publishing Bulwer was desirable even where the deals struck with Bulwer and the high sums paid to him reduced the profit margins of an individual novel.

### **Status and Popularity**

Bulwer's status and fame made him central to the reprint trade. On several occasions, the Harpers mention both their own stereotyping of his works, a sure sign of an author's popularity, as well as that 'rival publishers also have them stereotyped in various shapes' (letter of 23 April 1839), and that because of this, 'no one House can retain the [Bulwer] market exclusively' (letter of 12 September 1836). The desirability of a Bulwer novel is also shown by an incident that occurred in 1842, when an unreleased copy of *The Last of the Barons* was stolen on Christmas Day from Harpers' bindery. One of the chief rivals, the publisher of the mammoth weekly *The New World*, Jonas Winchester, was suspected of the crime because his paper released the novel soon after (DeSpain 2014: 46; Exman 1967: 26).

The retail price for reprint novels in the US in the 1820s was usually about \$1.75 or \$2 (about 8 to 10 shillings), although this varied, but was usually less than half the British price (31s 6d for a three-decker).<sup>14</sup> By the 1830s, Harpers published Bulwer's novels in octavo one-volume editions priced 25 cents, the cheaper price having in part been necessitated through the rise of the mammoth weeklies. *The Last of the Barons* was advertised in Harpers' 'uniform edition' at 25 cents, as well as in *The New World* at 18 <sup>3</sup>/<sub>4</sub> cents, and in a yet cheaper Harper edition at 12 <sup>1</sup>/<sub>2</sub> cents, as well as an edition in another mammoth weekly, *Brother Jonathan* (Wilson & Co.) in February 1843, also at 12 <sup>1</sup>/<sub>2</sub> cents, so that the novel could be bought in a variety of formats concurrently, at a fraction of the British

price.<sup>15</sup> *The New World* repeatedly advertised its edition, emphasising the ‘immense interest’ the novel had excited, its length, and its being a novel about English history.<sup>16</sup> As well as Harpers’, the *New World’s* and *Brother Jonathan’s*, other New York editions that appeared in the 1840s included those by Thomas Crowell (in tiny type and, like the mammoth weeklies, at the lower end of the market), The Cassell Publishing Company (illustrated), and Lovell, so that even in the same city, in the space of three years, there were editions of *The Last of the Barons* by at least six different publishers.<sup>17</sup>

As the prices were so much lower in the US than in Britain, the print runs even of these early American editions were high. On receipt of the sheets for *The Last of the Barons*, Harpers planned their own print run as well as predicting that of other publishers:

We received the completion of ‘The Last of the Barons’ a day or two since, which will enable us to get into the market with our edition of 42500 copies, some twelve or fifteen hours before our competitors. We shall sell the work at 12 ½ cents per copy (equal to about 7d sterling per copy). The rival edition will sell even at a less price. In the first fortnight there will be at least one hundred thousand copies of the work sold!  
(Letter of 31 January 1843)

These immense numbers put the British print runs into perspective: The first edition of *The Last of the Barons* in the UK was limited as per the agreement between Bulwer and Saunders & Otley to 2,000 copies, at 31s 6d.<sup>18</sup> Cheaper editions of novels first published as three-deckers took years to appear; for *The Last of the Barons*, an edition at 6 shillings appeared in c. 1845, likely in a print run of 4,000 copies,<sup>19</sup> but it wasn’t until Routledge bought the rights from Bulwer to include the novel in their Railway series in 1854, at two shillings and below, with more than 41,000 copies printed between 1854 and 1873, that the novel would have reached a mass readership.<sup>20</sup> In the UK, the intellectual property regime meant that for years, the novel was only available at high prices, and short print runs. Over the space of thirty

years from the novel's initial publication, therefore, less than half the number of copies were printed than were available in the US within a fortnight.

Even with the high initial print runs, demand in the US was not limited to the period immediately after publication: Editions continued to be published, and libraries continued to acquire Bulwer. For example D. Steele's circulating library in Alexandria D.C. announced in the local paper in October 1848 that it had added *The Last of the Barons* to its collection, which must have meant it was still desirable to potential and actual patrons nearly six years after its first US publication.<sup>21</sup> The US and UK print runs show that for decades, there would have been many more American than British readers of Bulwer's novels, especially relative to the respective populations in each country.<sup>22</sup>

Harpers had established themselves as the foremost Bulwer publisher in the US, despite the number of rival editions and their high print runs. While individual editions were published by others, and a profit made on those, it would have been difficult for a rival publishing house to compete with the Harpers' overall position. In the regulated UK market, Bulwer negotiated with a variety of publishers and usually went with the highest bidder. Although Bulwer remained with Harpers from 1835 until his death in 1873, in what may well have been the longest-lived such arrangement, this was not because Bulwer felt loyalty to Harpers any more than to any of his British publishers. In the US, as in the UK, he sought the best way of making profit: In 1836 for example, Bulwer entered into negotiations with the Boston firm of Marsh, Capen & Lyon, with whom a memorandum of agreement was set up. The firm was anticipating the passing of a copyright bill later in 1836, which would have prevented the Harpers from printing Bulwer's work if his agreement was with another publisher. The bill, like the many other attempts at a bilateral copyright agreement, was not passed in the end, and the contract between Bulwer and Marsh, Capen & Lyon was abandoned; as Catherine Seville suggests, presumably because, in the absence of copyright,



‘the Harpers would certainly have retaliated’ and reprinted in competition (Seville 2006: 159), and their competition would have been difficult for another firm to meet.

Even with the competition from other publishers, and loss of profit from some Harper editions as a result, the Harpers were very keen to keep Bulwer as their author. The £150 payable to Bulwer for posting of early sheets in the case of *The Last of the Barons* gained Harpers an advantage of ‘twelve to fifteen hours’, yet they thank him for his ‘attention and care in sending us the early sheets of “The Baron”’, asserting that ‘they could not have come in better time’ (letter of 31 January 1843). The unreliability of the packets and therefore the arrival of the advance sheets was a chief concern, as the factor that the advantage of the agreement for the American publisher depended on. The abandoned agreement with Marsh, Capen & Lyon specified that

It wd be necessary to send duplicate copies – one by the London and the other by the Liverpool packet, sailing on the same date. We only wish to have it in our power to supply the market before any other firm receives a copy, and as the ships are sometimes detained by adverse winds 10 or 15 days you will perceive that the above modification wd be necessary. (Marsh, Capen & Lyon to Bulwer, 29 August 1836)

Despite these uncertainties, the Harpers wanted to continue their agreement with Bulwer, and showed generosity in a number of ways by agreeing to his requests, as we have seen regarding the 1835 memorandum, but also in other ways: For example, concerning *Athens*, his history of ancient Greece, Bulwer, as usual, argued even over small sums, and Harpers agreed that ‘we shall consider the 2 vols 8vo equal to 3 vols 12mo and will remit accordingly’ (letter of 27 July 1835). When, in 1837, it proved difficult to purchase bills to pay Bulwer, Harpers assured him that they would ‘procure a bill as soon as we can possibly do so with safety, and of course include interest for the delay’ (letter of 15 May 1837), despite that delay not being of their making. Their dealings with him indicate that Bulwer’s

value to the Harpers was beyond the immediate economic profit and was also about Bulwer's symbolic authority and the prestige associated with being his publisher. For Bulwer, Harpers' accommodating him meant that he stayed with the Harpers until his death, as his agreement with them proved to be the most effective way for him of obtaining profit from the American reprint market. Barnes calculates that over the nearly four decades that the Bulwer-Harper agreement lasted, Harpers paid Bulwer a total of £5,120 (Barnes: 1966: 47–48), and Bulwer maintained in 1851 that the lack of American copyright had cost him £60,000 (Bohn 1851: 11). These figures help explain why Bulwer was so active, for decades, in trying to obtain copyright for British authors in America.<sup>23</sup> However, while £5,120 was not of course a large sum compared to his earnings in Britain, given that he had no copyright in the US to base negotiations on, the sums also show that it was possible for a superlatively popular author like Bulwer to make profits even in the context of the transatlantic intellectual property regime of the nineteenth century, because of his centrality to the reprint trade.

Every new novel by Bulwer was eagerly expected by the US market, and its publication newsworthy – preceded and accompanied by notices in newspapers, published by several publishers in varying editions and prices, and held by circulating libraries. Publishers advertised their editions, and book sellers and libraries their acquisition of Bulwer's novels, both in the publishing centres and outside of them: For example, *The New York Daily Tribute* wrote on 22 December 1842, that 'The Last of the Barons, by Bulwer, will probably be published the latter part of the present week'; *The Camden Journal* announced on 17 August 1842 that 'Will be published early in September, a new work by Bulwer, entitled The Last of the Barons', while *The Daily Madisonian* stated in October 1842 that 'Bulwer's new novel will be "The Last of the Barons"'. The Mississippi-based *Holly Springs Gazette* wrote in April 1843: 'We are expecting to receive in a few days, a large lot of new works published at the New World Office [...] containing the latest, and most interesting novels, tales, and

works of the best authors of the day’ – the first on their list of works was *The Last of the Barons*. The publication of a Bulwer novel was newsworthy long before and after its occurrence, and eagerly awaited for weeks and months (though in the event, *The Last of the Barons* was not published until mid-January 1843).<sup>24</sup> For publishing houses, the advantages gained from being associated with Bulwer, financial as well as in terms of prestige, were such that, on both sides of the Atlantic, publishers offered Bulwer extraordinary terms, and he knew how to make the most out of his works in each material context and intellectual property regime.

### **Bulwer as Scott’s Successor: Self-Fashioning and Critical Reception**

Reviews further testify to Bulwer’s significance. They also indicate some of the ways in which his texts were read by critics, and what about his novels made them so appealing. Reviews were not, however, necessarily independent. Among the reasons Harpers give for ‘why [Bulwer] should look with little favour upon the offer of other [US publishers]’ they give their influence on reviews:

[T]he success of any book depends [...] upon the goodwill and assistance of the periodical press, and we hazard nothing in saying that no other house in America possesses facilities and means so extensive, in this and other particulars, as ourselves. Our influence with Editors, throughout the Union, is very great, [...] and is not held up without constant attention and outlay. In behalf of your writings it has been unremittingly exerted to the utmost, not only in securing favourable notices, but in preventing those of a different character, for we presume it is not unknown to you that, as an author, you have many and violent enemies in this country, as well as in England. Among the numerous religious journals and magazines in particular, which are opposed to all works of fiction, there is great hostility to your writings, and these

possess much influence over the minds of their readers. Without our intervention, your works would have been and still be attacked in them with bitterness and pertinacity; we have succeeded almost universally in keeping them silent, at least, and in many instances, we have elicited notices which did service, either by actual commendation, or by such remarks, as, without committing the publications in which they appeared, were of a nature to excite interest and curiosity. (Harpers to Bulwer, January 1835).

While Harpers' exertions alone do not of course account for the overwhelmingly positive responses Bulwer's novels received in American reviews, this letter shows the ways in which a major publishing house helped the reception of one of its best-selling authors: not just by eliciting positive reviews, but also by suppressing, through 'constant attention and outlay', notices in periodicals that would likely have been negative – not necessarily because of the quality of any particular novel, but also because of general anti-fiction and anti-Bulwer sentiments.

Reviews that appeared in the US of *Rienzi*, *Last of the Barons*, and *Harold* almost all judge the novels in highly positive terms. The aspects reviews measure these three novels by give some indication as to reviewers' definition of a high-quality historical novel: They focus on history, on the novels as historical fiction, on Bulwer as a genius, 'great thinker',<sup>25</sup> and Walter Scott's successor, as well as on the novels' moral and political lessons. Amusement and pleasure do not usually feature explicitly, which suggests that in the US of the 1830s and 1840s, the ability of a text to educate and edify was thought of as the most important criterion.

While the transatlantic market for fiction was ever increasing, novel-reading was not universally approved of. Some reviews therefore felt the need to defend novel reading on the grounds of the genre's capacity to be educational, as long as the right novels were chosen.

Bulwer's novels edify because they teach readers about history and human motivation in realistic ways: 'every thing will be made to appear as the legitimate result of preceding causes [...] we see the gradual growth of those feelings which precede and produce revolutions' (Anon. 1843: 221); indeed, each novel is 'almost as much a history as a romance' (Anon. 1848a: 563). Bulwer himself, in the prefaces to his historical novels, emphasized the edifying and scholarly nature of the works: 'For the main materials of the three Historical Romances I have composed [*Rienzi*, *Last of the Barons*, and *Harold*], I consulted the original authorities of the time with a care as scrupulous, as if intending to write, not a fiction, but a history' (Bulwer 1853: xiv). In agreement with this, reviewers argue that it is as if readers were engaging with history rather than fiction, the novels giving characters that 'set off in a striking light the peculiar manners and opinions of that age and country' (Anon. 1836a: 213). Reviewers repeatedly emphasise historical realism in his novels; unlike 'the comical grimaces in the Bayeux Tapestry, [Bulwer's figures in *Harold*] become at once life-like and familiar' (Anon. 1848b: 518).

Bulwer fashioned himself as Scott's successor, and came to be widely regarded as such: The majority of reviews of Bulwer's historical novels see him in this way. Bulwer discussed the ways in which he brought together history and romance in prefaces to his historical novels. He argued that like Scott, as superior writers of historical romance, he 'raises scholarship to the creative, and does not bow the creative to the scholastic' (Bulwer 1834: v). He also, though, developed his own concept of historical romance, by taking a famous historical characters – *Rienzi*, the Earl of Warwick, *Harold* – and building the fiction around them, in a definite alteration of Scott's concept, but without ever losing sight of Scott. His historical romances are more interesting than 'dry' history as they supply 'the inner, [as well as] the outer, history of man', thereby 'add[ing] the completer solution of what is actual and true, by those speculations of what is natural and probable, which are out of the province

of history, but belong especially to the philosophy of romance' (Bulwer 1848: 1). It is this new way of combining history and romance that renders it superior to both ordinary romance and to history, with Bulwer claiming that he was following Scott in new ways. Bulwer argued that the degree of research put into his historical romances made them even more instructive than Scott's: Where Scott 'employed History to aid Romance, [Bulwer employs] Romance in the aid of History'.<sup>26</sup> So he built on, but never quite broke with, Scott.

Scott, during these decades, was regarded as the foremost novelist, whose popularity and status were beyond doubt, while his historical novels changed critics' attitudes to the novel genre and in large measure contributed to making novel-reading respectable in the UK (Bautz 2007: 23–45, 93–113). For most of the century, he was regarded as the greatest novelist of all; even where discussions compare him to others unfavourably in some aspects, they still conclude that: 'Could we suppose ourselves condemned to solitary confinement, and our supply of books restricted to the works of a single writer, who would not choose for his companion "the author of 'Waverley'"?' (Anon. 1879: 97) William St Clair has shown that Scott's novels were 'by far the most read literary texts in Britain in the romantic period and beyond' (St Clair 2004: 388). Given what we know about copyright, editions, and library borrowing records, it seems likely that this was similar in the US. As Emily Todd has suggested in her study of the reading of the Waverley novels in antebellum America, readers came to Scott for the acquisition of knowledge, entertainment, and status (Todd 1999: 517). For Bulwer to be judged as having produced works that are in the same class as Scott's, then, indicates superlative esteem. Scott is 'the master mind that [...] raised works of fiction to this high elevation', and 'the scarcely less remarkable genius, who has since developed and perfected it, is Sir Edward Bulwer' (Anon. 1843: 216).

Scott's genius as the inventor of the historical novel is taken for granted in reviews, and while most agree in seeing Bulwer's historical novels as following Scott, they vary in

their assessments of whether Bulwer can be placed on an equal level with Scott or slightly beneath him. But on the whole, reviewers regard Bulwer as in the same class as Scott, referring to Bulwer and his novels in superlative terms, as having invented ‘the prototype of a new school, and undoubtedly the first of all historical novels[,] [...] the most splendid fiction that has yet appeared’ (Anon. 1843: 223–24); a ‘genius’ with ‘rare powers of invention, and the peculiar beauties of his fine style’ (Anon. 1836a: 213). Bulwer’s style as a sign of genius is repeatedly referred to (also see, for example, Anon. 1848c: 363), so aesthetic criteria feature, but reviewers’ emphasis is on the lessons to be learnt from Bulwer’s novels, on a scale that gives his novels significance. Reviews assert that Bulwer ‘[imparts] wisdom to his countrymen and the world’ (Anon. 1836b: 34). The lessons are bigger human truths and concern ‘the relations of men to each other’ (ibid.), but there are also more narrowly moral lessons, such as that Bulwer’s female characters are ‘a model for the study and imitation of [their] sex’ (Anon. 1836a: 217) – and generally that his novels display ‘good taste, truth and circumstance’ (ibid.: 214). Most reviewers approve of the novels’ lessons, which leads to high recommendation of the novel. One of the few exceptions, which even the Harpers had evidently not been able to suppress, the *North American Review*, one of the most prestigious periodicals in the US in the first half of the century, did not find the lessons convincing, arguing that Bulwer’s novels are read ‘without any refreshment to the mind’ (Anon. 1848c: 365), as he is ‘under the control of a morbid egotism and still more morbid vanity, [which makes] his productions appear more like the consequences of intellectual disease than as intellectual nutriment’ (ibid.: 366). As the lesson is not convincing, the novels’ ‘scholarship, research, and [...] remarkable talent’ (ibid.: 366) are immaterial in the final verdict. The reviewer evidently belonged to those contemporaries who found some of Bulwer’s personal traits irritating, a factor that contributed to the steep decline in popularity after the author’s death.<sup>27</sup>

Most reviewers see the lessons as not confined to history but as extending to political lessons, in ways that indicate perhaps a specifically American reading, at times explicitly linked to American culture. The debate is about the extent to which the novels propagate democracy and power of the people: While some see the novels as suggesting ‘that the people of any kingdom or state constitute its only legitimate sovereignty [...] [*Rienzi*] inculcates such maxims as a justly thinking American would write and inculcate. It is full of the spirit and fire of liberty’ (Anon. 1836a: 218). Similarly, in *Harold*, Bulwer shows his ‘sympathy for her popular cause’ (Anon. 1848a: 563), as the real victors are not the conquerors but the Saxons: ‘what, after all, did the conquest of the Normans amount to? Nothing; it was only a conquest in name, the Normans came over and were quietly conquered by the Saxons, and they are conquering still on this continent’ (Anon. 1848a: 565). *Holden’s Dollar Magazine* widens this view to the author as a man, whom the reviewer sees as living by democratic principles: He works hard, ‘as though he were dependent for his daily bread upon the daily exercise of his pen’ (ibid.: 563), and, ‘although his interests are identified with the aristocracy, his sympathies have always been with the people’ (ibid.). In spite of his aristocratic roots then, he is shown to be hard working and one of the people through that. *The Metropolitan*, however, argues opposite, though also in a positive way, regarding both author and novel as conservative: *Rienzi* shows how plebeian virtue cannot exist and characterises ‘that most plebeian of all ambitions, the wish to rise by making oneself the tool, or the parasite, of a patron’ (Anon. 1836b: 34). The reviewer ‘can only congratulate Mr Bulwer upon this highly elaborated and conservative production’ (ibid.: 38).

Reviews suggest that the main reasons the majority of critics endorsed him in such unequivocal terms are 1) that his novels are safe and unexceptionable, 2) that they are seen as history and therefore as useful reading, 3) that Bulwer is Scott’s successor, and Scott’s genius and moral benefit was beyond doubt on both sides of the Atlantic in the early and mid-



nineteenth century, and 4) that, in addition to useful moral lessons, the novels impart political lessons that are seen as particularly pertinent to the US.

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Using Bulwer and three of his historical novels as a case study, this essay has shown the various ways deals could be negotiated and profit could be made in the transatlantic literary marketplace. Editions, print runs, and reviews of his novels in the US evidence the extent and some of the reasons for Bulwer's superlative popularity and status, while his literary authority, in combination with his business acumen, enabled him to negotiate profits for himself despite the lack of a copyright treaty between the UK and the US. While his works were desirable for publishers for similar reasons in the UK and the US – profit potential on the one hand and being seen as high-quality, safe, and educational on the other – the intellectual property regime and resulting publishing practices in each country determined kinds of editions, print runs, and therefore readerships: Many more American readers had access to his texts within weeks of their publication than could obtain them in the UK over decades.

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## Notes

<sup>1</sup> For a discussion of reasons for this decline, see Walker 2009.

<sup>2</sup> For a discussion of attempts to pass copyright bills, see Seville, 2006, esp. chapter 5.

<sup>3</sup> Goodrich estimates that in 1820, 70% of books manufactured in America were by British authors (the remaining 30% by American authors), that the British-authored share then decreased to 60% in 1830, 45% in 1840, and 30% in 1850 (Goodrich 1857: 388–91, 552–53). For absolute figures of American and British imports and exports of books from

1828 to 1868, see Winship 2000: 111–19. For reprints of American novels in Britain, see for example DeSpain 2014, esp. Chapter 2, ‘Claiming Kindred with All the World: Susan Warner’s *The Wide Wide World* and Its British Reprints’.

<sup>4</sup> For *The Last of the Barons*, for example, the memorandum of agreement of 17 October 1842 between Bulwer and Saunders & Otley stipulates a payment of £1,000 for the first edition of 2,000 copies, but also, that ‘The copyright of “The Last of the Barons” after the above Edition to belong to Sir E. L. Bulwer and the right of arranging for all foreign Editions’. ‘Memorandum of Agreement between Mssrs Saunders & Otley and Sir E. L. Bulwer Bart.’, 17 October 1842, Hertfordshire Record Office.

<sup>5</sup> Because, as Rezek discusses, changes could be made to a text in Edinburgh even after the shipment of the ‘American Copy’, American editions could be based on early versions of novels that did not include Scott’s final corrections and additions (Rezek 2015: 57).

<sup>6</sup> E.g., Memorandum of Agreement between Routledge and Anne Bowman for *More Double Acrostics*, March 1867, or the Memorandum of Agreement between Routledge and Elizabeth Croft for *The Doctor’s Ward*, June 1869 (Routledge Contracts Ledgers, Microfilm, British Library).

<sup>7</sup> Bentley to Bulwer, 2 December 1857. Letters to and from Edward Bulwer-Lytton, Hertfordshire Record Office. All letters cited are at Hertfordshire Record Office unless otherwise stated.

<sup>8</sup> Draft Contract, drawn up on 13 March 1848; Bentley Archives, British Library, reel 28, vol 56, p. 84.

<sup>9</sup> Seven publishers acquired the plates and printed editions off the same plates: 1855 Bunce & Brother, New York; 1857 Derby & Jackson, New York; 1862 Ticknor & Fields, Boston; 1871 James Osgood & Co., Boston; 1876 Porter & Coates, Philadelphia; 1896 Henry Coates, Philadelphia (Barchas 2019: 178).

<sup>10</sup> For example, for ‘Bulwer Novels’ in the June 1855 catalogue, the collected edition is advertised as ‘neatly bound in 5 vols. 8vo, Muslin, Price \$7.50’ (Harpers & Brothers 1855: 154).

<sup>11</sup> Bentley to Bulwer, 27 February 1862; Hertfordshire Record Office.

<sup>12</sup> See, for example, the advert for Bulwer’s novels in the Railway Library that gives as reason for paying £20,000 to be able to include Bulwer in the Railway library Routledge’s ‘confidence in the mental improvement of the masses’ (qtd. in Mumby, Frank Arthur. 1936. *The House of Routledge 1834–1934* (London: Routledge): 59–60.

<sup>13</sup> Routledge Archives, Publication Books. The print runs for editions of 2s, 1s, 6d, from 1853 to 1873 were: *Rienzi* c. 40,000, *The Last of the Barons* >41,000, *Harold* 40,000.

<sup>14</sup> Scott’s *Woodstock* was sold at \$1.75 (about 8 shillings), and sold 8,000 copies on the day of its American publication (St Clair 2004: 570; Kaser 1963: 30). Austen’s *Emma* had sold for \$2 in Carey & Lea’s 1816 edition, and the wholesale price for all Austen’s novels published by Carey & Lea in the 1830s was \$0.84 (Gilson 1997: 97–132).

<sup>15</sup> See, for example, the *New York Daily Tribune* of 17 February 1843 for Harpers’ edition of *Last of the Barons* at 25 cents. For Harpers’ 12.5 cent edition, see their letter to Bulwer of 31 January 1843. For the *New World* advert, see, for example, *Alexandria Gazette*, 1 March 1843, ‘*The Last of the Barons*, New World edition, in 4 Extra Nos, price 18 ¾ cents’. For an advert of a 12.5 cent edition, see, for example, *The New York Daily Tribune*, 23 February 1843 (advertisement for *The Last of the Barons*). For *Brother Jonathan*’s edition at 12.5 cents, see the advert in the February 1843 issue of *Brother Jonathan*. For the ‘uniform edition’, see, for example, the advertisement for *Rienzi* in the *Constantine Republican* of 28 September 1836.

- <sup>16</sup> Advertisement in *The New World*, 25 February 1843, 258.
- <sup>17</sup> *Brother Jonathan*, advert for *The Last of the Barons*, 12.5 cents, February 1843.
- <sup>18</sup> ‘Memorandum of Agreement between Mssrs Saunders & Otley and Sir E. L. Bulwer Bart.’, 17 October 1842, Hertfordshire Record Office.
- <sup>19</sup> Estimate based on Bulwer’s *The Last Days of Pompeii*, and the Bentley sales of the equivalent edition of that novel, as well as what we know about the first reprint of other novels relative to the size of the print run of the first edition. (For *Last Days of Pompeii*: first impression 4,042 in December 1838; reprinted in October 1839 with a run of 1,000 copies (Bentley Records, British Library, add 46,674); for the print runs of the first reprint of other novels in the 1830s and 1840s, see, for example, St Clair 2004: 578–664).
- <sup>20</sup> Routledge Archives, Publication Books, vol. 2, p. 233, vol. 3, p.125, p. 406, p.726.
- <sup>21</sup> *Alexandria Gazette*, 6 October 1848.
- <sup>22</sup> In 1820, the population of England and Wales consisted of 12 million, of Scotland well over 1.5 million, compared to 9.6 million in the United States (Rose 1985: 276).
- <sup>23</sup> For a discussion of which, see Seville 2006: 146–252.
- <sup>24</sup> *The Camden Journal*, 17 August 1842; *The Daily Madisionian*, 31 October 1842; *New York Daily Tribune*, 22 December 1842.
- <sup>25</sup> Bulwer Lytton features in lists of ‘Great Thinkers’ published in *The Salt Lake Herald* of 29 September 1892 (p. 2), and a similar list (though not identical) published in *The Gold Leaf*, North Carolina, 10 November 1892.
- <sup>26</sup> Bulwer, Preface to the third edition of *Harold* (1853). Similarly, in the preface to *The Last of the Barons*, he argued that he would not ‘have risked the disadvantage of comparison with the genius of Sir Walter Scott, had he not believed that that great writer and his numerous imitators had left altogether unoccupied the peculiar field in Historical Romance which the Author has here sought to bring into cultivation’ (Bulwer 1843: xii).
- <sup>27</sup> For reasons of Bulwer’s decline in popularity, see Walker 2009: 27–52; also see Brown 2004.

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