

HOUSE...No. 10.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, January 21, 1858.

The Committee on the Library, who were instructed to inquire whether any further legislation is necessary respecting the distribution of the New Plymouth Records, respectfully

R E P O R T :

That eight hundred copies of the first four volumes of said records, contained in two printed volumes, have been printed, and the delivery thereof at the Secretary's office in the State House, began on the 30th day of December last, since which period a considerable number have been delivered from the printer, and it is understood that the remainder will shortly be ready.

On the 7th day of January instant, the distribution of said copies appears to have begun, and it appears that in the fourteen days since that period, seventy-four sets of the printed volumes have been distributed to individuals and institutions, besides fourteen to towns.

The distribution should have been precisely regulated by the Resolves of 1855, chapter 19, and of 1857, chapter 107.

The Committee find that of the seventy-four sets distributed as above, to individuals and institutions, twenty have been given to persons or institutions who were entitled to receive them, and

fifty-two sets have been given to persons who have no legal right to them. This appears by the subjoined detailed statement:—

	No. distrib- uted accord- ing to law.	No. distrib- uted without sanction of law
The Treasurer and his clerks,	1	2
Auditor and clerk,	1	1
Attorney-General and clerk,	0	2
Adjutant-General and clerk,	1	1
Land Agent,	0	1
Secretary of the Board of Agriculture and clerk, .	0	2
Secretary of the Board of Education,	0	2
State Library,	1	2
Boston Public Library,*	1	1
Massachusetts Historical Society,*	1	0
Boston Board of Trade,*	1	0
American Antiquarian Society,*	1	0
Secretary's clerks,	0	16
Editor and his assistants,	5	0
The Governor of 1857,	1	0
Lieutenant-Governor of 1857,	1	0
The Council of 1857,	0	10
The Council of 1858,	0	6
Sundry individuals, named in the Secretary's book,	0	6
Sundry persons not named, and presumed to have been entitled to copies,	5	0
Totals,	20	52

Total number of sets distributed to persons or institutions entitled by law to receive them, twenty.

Total number distributed to persons not entitled by law to receive them, fifty-two.

At fifteen dollars per set, the value of the fifty-two sets given away without authority of any Act or Resolve, is seven hundred and eighty dollars.

* These four institutions are not expressly named in the Resolves, but the Committee have regarded the distribution to them as lawful.

The main distribution, viz. : to the cities and towns of the Commonwealth, has scarcely been begun. Fourteen copies only have been distributed, viz. : to the towns in Barnstable County and Nantucket.

It is proper to observe that the new Secretary of the Commonwealth, Hon. Oliver Warner, only entered upon the duties of his office yesterday, subsequent to the distribution above described.

It is proper further to observe, that the unauthorized distribution of valuable books, of which the present is an instance, has been so usual on former occasions, as to receive some appearance of sanction from custom, which the Committee think should no longer be suffered to attach to it.

The Committee in reporting these facts to the two branches, content themselves with the expression of their opinion that this early distribution of copies of this valuable work to persons not entitled by law to receive them, is highly reprehensible ; and they entertain a lively hope that so soon as the public officers who have received the volumes without authority understand that they have no legal right to them, they will make restitution thereof.

The Committee have further expressed to the new Secretary the hope that no further distribution to individuals will be allowed until the distribution to the towns and cities has been completed.

For the purpose of making the whole scheme of distribution perfectly clear and simple, and of introducing some new provisions on the subject, the Committee report a new Resolve establishing a new distribution, retaining the main features of the distribution previously contemplated, but repealing the former Resolves. And they recommend this new Resolve to the early attention of the legislature.

Respectfully submitted,

CHARLES A. PHELPS.
CHAS. F. SWIFT.
WM. T. DAVIS.
CHARLES HALE.
WILLIAM A. SAUNDERS.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Fifty-Eight.

RESOLVES

In relation to the Distribution of the New Plymouth Records.

Resolved, That in lieu of the manner heretofore provided for distributing the eight hundred printed copies of the several volumes of the New Plymouth Records, the following distribution is hereby established, and shall be made by the Secretary of the Commonwealth; that is to say:—

- One copy to every city and town in the Commonwealth;
- One copy to each registry of deeds, to be preserved with the public records;
- One copy to each county law library;
- One copy to each of the States and Territories of the Union;
- One copy to the department of State of the United States;
- One copy to the library of Congress;
- One copy to the Smithsonian Institution;
- One copy to the governor of this Commonwealth;
- One copy to the lieutenant-governor;
- One copy to the secretary of the Commonwealth;
- One copy to each of the justices of the supreme judicial court of this Commonwealth;
- One copy to the president of the United States;
- Three copies to the State library;
- Twelve copies to the trustees of the State library, to be used for international exchanges;
- One copy to the Pilgrim Society;

One copy to the Boston Athenæum ;

One copy each to the Boston Board of Trade, to the Massachusetts Historical Society, and to the American Antiquarian Society, in accordance with Resolves passed in former years ;

One copy to each incorporated college, and to each law-school and each theological seminary in this Commonwealth ;

Ten copies to the editor of the Records, who shall furnish from said number copies to such of his assistants as he shall see fit ;

Fifty copies to be distributed to such incorporated public libraries, or other institutions, as the secretary of the Commonwealth may select : *provided*, that not more than one copy shall be given to any one library ;

And the residue shall remain in the custody of the secretary of the Commonwealth, for the time being, who shall have authority to dispose of not more than twelve in any one year, conformably to the interests of the Commonwealth.

Resolved, That two hundred printed copies of said Records shall be set apart by the secretary of the Commonwealth, to be sold at a reasonable price to be fixed by him, to any person or persons or institutions, who may wish to purchase the same ; and the proceeds of such sales shall be paid into the treasury of the Commonwealth.

Resolved, That an exact account shall be kept by the secretary of the receipt and distribution of all the copies of said Records, and an annual statement of the account shall be submitted to the legislature.

Resolved, That so much of the Resolves of one thousand eight hundred and fifty-five, chapter 19, and of the Resolves of one thousand eight hundred and fifty-seven, chapter 107, as is inconsistent with the provisions of these Resolves, is hereby repealed.

