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## Book Review. Inventing the Industrial Revolution: The English Patent System, 1660-1800

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well with documentation from contemporaneous non-legal sources coupled with judicious use of modern research materials. The footnotes thus both highlight and buttress the text and do not detract as so often they might. Therefore, while particular points of law may yet remain obscure, a general understanding might be realized. The result presented by Kelly is the best that presently could be hoped for.

F.W. HARRIS  
*Mineola, New York*

Christine MacLeod, *Inventing the Industrial Revolution: The English Patent System 1660-1800*. Cambridge: Cambridge University Press, 1988. 302 pp. \$44.50.

This book examines the patent system in England during its development in the 17th and 18th centuries. It will be of particular interest for historians specializing in the industrial revolution, and for all historians of technology. This book demonstrates how the patent system evolved from a mechanism which dispensed patronage in early Stuart England to the Patent Act of 1852, embodying for the first time the concept of the patent grant as a reward for inventive activity. This book is packed with historical information and is exhaustively documented but never fails to forge historical detail into a nuanced interpretation of the role of the patent system during the industrial revolution.

What makes this book both interesting and original is that it is more than a detailed historical account of the English patent system in its formative years. Its larger purpose is to explore the relationship between patents and inventions in 17th and 18th century England. To understand this relationship, one must ask certain questions which are of concern not only to historians but to economists who study innovation and invention and its connection with the patent system. In addition to showing how the system worked, who the patentees were, how much innovative activity occurred within and outside the system, the author persistently poses a key question. What can patent statistics tell us about productivity growth in 18th century England? The conclusion is that one cannot infer too much from patent statistics particularly in this formative era of the patent system. On the other hand, if properly interpreted patent statistics can be of important use to the historian. These statistics have been around for a long time, and are readily accessible. The value of Ms. MacLeod's book is that it intelligently interprets these statistics and places them in proper context.

The book is organized around three groups of chapters. The first four chapters examine how the patent system developed between the Restoration and 1800. These chapters treat the monopolies controversy, the administration of patents, and the patentee's ability to defend his claim in the law courts. Chapters 5 and 6 generally examine why patent were sought and granted. These chapters show that patentees chose the patent system to protect their inventions for a variety of reasons, many of which had nothing to do with protecting one's invention from imitation. Here, Ms. MacLeod shows some spheres in which patenting was not cost effective and those less suited to patent protection. The last three chapters provide an original perspective on the goal of 18th century inventors and the goals of patentees. Those chapters explore what contemporaries thought about the patent system and why they supported alternative schemes to award inventors. In these final chapters the author

explores in broad overview the change in perception about inventors and invention that occurred as Englishmen grew in technological confidence.

As already suggested this book is much more than an administrative history of the British patent system. In some ways it is a timely book. Today, economists and contemporary historians are still trying to determine the relationship between the patent system and technological change. At this time, for example, much is made of the ascendancy of the Japanese in the acquisition of patents worldwide. Any arm-chair interpreter of this phenomenon should take note of Ms. MacLeod's study of patents in an earlier era and her caveat about the use of patent statistics to prove generalities about technological change. Although technology has vastly changed as well as the patent system, much insight can be gained from the author's approach to the subject.

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Bernard William McLane, ed., *The 1341 Royal Inquest in Lincolnshire*. Lincoln Record Society vol. 78 Suffolk: The Boydell Press, 1988. xxxiii, 202. £19.50.

Edward III's sudden return from Ghent to London 30 November 1340 was in response to widespread complaints about the illegal actions of royal and local officials and the failure to collect the various wartime levies, especially on wool. The king blamed "false councillors" whose actions could have made it impossible "to sustain the [Hundred Years'] war" (p.x). The royal solution was a series of commissions of *oyer and terminer* which dealt with both official misconduct and ordinary crime. While the commissions of December 1340 helped to diffuse public unrest, McLane argues that the justices assigned in 1341 were "to hear complaints against particular officials, not to . . . record outcries against Edward's wartime policies and levies" (p. xiii). The general commission was supplemented by twelve articles which opened with "What fees in cash or goods had officials taken to perform their duties" (p. xiii-iv). The justices were also to collect and keep safely rich Lincolnshire's 20,000 sacks of wool. In January 1341 their charge was enlarged to include all serious crimes committed in the reign of Edward III and his father Edward II. McLane suggests that this was done to "re-emphasize . . . the seriousness with which it viewed these legal proceedings . . . [and] reaffirm Edward's own role as the 'fount of justice'" (p. xv).

The justices of the 1341 inquest correspond to those which J.P. Dawson has described as an "assemblage of local men, who had the necessary knowledge of local conditions, and experienced judges, who provided equally required judicial expertise" (p. xv). The editor describes the group and documents their status and previous roles in government. The offences prosecuted fell into three general categories: trespasses committed by royal and local officials, felonies and trespasses committed by them, and felonies and trespasses committed by non-officials. McLane discusses each category but carefully states that the varying ways of describing the same offense mean the statistics can only be approximate.

The document calendared in English in this volume is the Lincolnshire Inquests (PRO MS. JUST I/521). The chronology of the inquests and organization of