

# Dueling Charges of Plagiarism in the mid-19th Century World of Microscopy— Who was the Copycat?



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**F**rom opposite sides of the Atlantic, plagiarism charges were launched in the 1850s. The first North American manual of microscopy, by Joseph Wythes, was published in 1851. The book was reviewed in the first issue of the British journal the *Quarterly Journal of Microscopical Science* and roundly denounced. The American author was accused of plagiarising a standard British manual by John Quekett. The second issue of the same journal accused Wythes of having copied, in a second book, a very popular British book aimed at a young audience on the wonders of microscopy, by Agnes Catlow. In 1854 a new British manual of microscopy by Jabez Hogg FLS was published. A critic in North America labeled the book to largely be a British copy of that first American manual by Wythes. Undeterred by charges of plagiarism, the two microscopy manuals, on opposite sides of the Atlantic—the American by Wythes and the British by Hogg—each became standard reference works going through many editions. Here I attempt to sort out the charges, present examples of the evidence of presumed copying along with some consideration of the norms of the times. I leave it to the reader to decide who was a copycat.

Some explanation is likely due as to how one might learn of relatively obscure charges of plagiarism from over 150 years ago, and why such charges may be of interest. As a microscopist, and also a fan of old books containing images of microscopic organisms, I acquired a copy of an 1851 book by Agnes Catlow, *Drops of Water*. Intrigued by both the Catlow's illustrations and prose, I searched for documents containing the term "Agnes Catlow", luckily an unusual name. This bought up an 1853 review of a book in the *Quarterly Journal of Microscopical Science* (Anon.

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1853a) in which an American author, Joseph Wythes, is lambasted for copying *Drops of Water* entirely. In the review, reference is made to another book review in the previous journal issue (Anon. 1853b). In this first review, this very same author is accused of having copied at length from the classic British microscopy manual by John Quekett (Quekett 1848). Thus, one is led to finding out who this American author is, and exactly what is in his books.

Joseph Wythes, it turns out, is the author of the first American manual of microscopy (Warner 1982) and is said, without reference to the charges made against him, to be the victim of plagiarism by way of the British author Jabez Hogg FLS (Cassedy 1976). A plagiarist as victim of plagiarism is an irresistible topic. Here I consider the three charges in chronological order: first, the charge that Wythes copied Quekett, then the charge that Wythes copied Catlow, and lastly that Hogg copied Wythes.

With regard to legalities, it bears keeping in mind that at the time there was no international legal framework governing intellectual property rights of any sort. The Berne Convention, often considered year zero of international copyright law, was first signed by a few countries, notably not including the United States, in 1886. Nonetheless the copying of someone else's work without attribution was considered unethical as will be evident in the wording of the charges of plagiarism considered here.

## 1. Did Wythes copy Quekett?

The charge appears in the unsigned review of Joseph Wythes's 1851 book (Anon. 1853a) in the inaugural issue of the *Quarterly Journal of Microscopical Science*. The founding editor, Edwin Lankester, a very well known expert on microscopy and public health, could be the author of the review and in any event must have approved the review as editor. The reviewer states:

Its plan and contents are so evidently founded upon the work of Mr. Quekett that we wonder the author did not at once acknowledge how largely he is indebted to that gentleman's labours. It is one of the grievances that literary men have to complain of in this country, that their works are reprinted in America without their obtaining any profit from the wide sale they meet with in that country, and the least they have to expect is, when their works are reprinted or extensively drawn upon, that the debt be acknowledged.

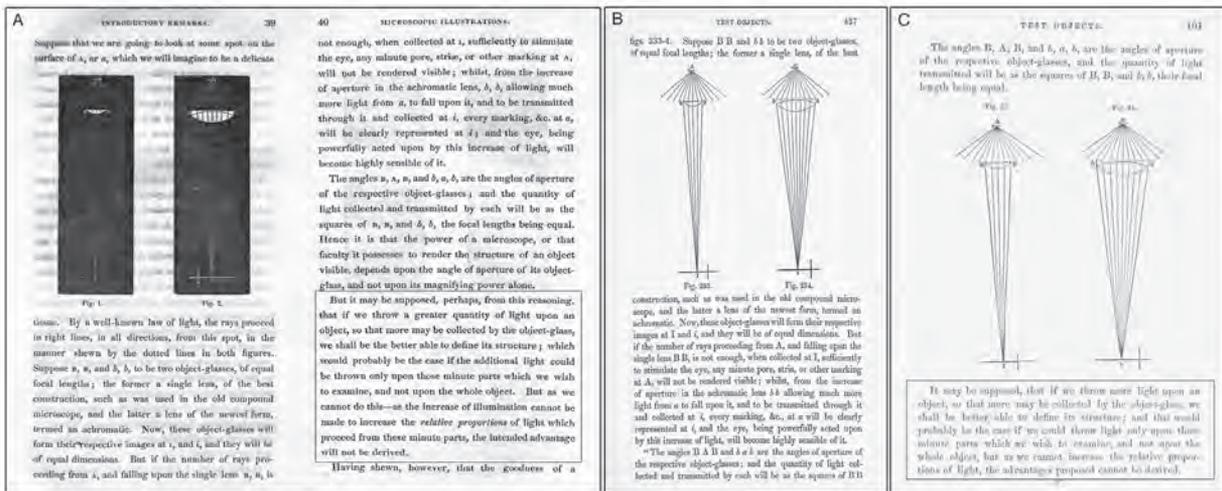
As an instance of how much Dr. Wythes is indebted to the English professor, we would quote the chapter on Test-objects, which is scarcely more than an abstract of the chapter on the same subject in Mr. Quekett's book, and in which no pains have been taken by an alteration of expression to conceal the source of the information. The plates illustrative of this subject are also copied from Mr. Quekett's work, as well as many others.

The review pointedly includes a general lament for British authors copied in America. In defense of the American Wythes one should know that in the preface to his book he states, "free use has been made of English authorities". Admittedly, some "English

authorities” are only named in passing and that is only in the first chapter on the history of microscopy. However, in the example given in the review, the Wythes’s section on ‘test objects’, this particular section is introduced by Wythes with the sentence:

The discovery of this class of objects by Dr. Goring, a full account of which may be found in Mr. Pritchard’s works on the Microscope, was the chief cause of the modern improvements in the achromatic compound microscope. (Wythes 1851 pg. 98.)

Fig. 1 shows that the contentious material appearing in the Wythes book certainly could have originated entirely from Quekett, not mentioned by Wythe in the section, or at least in part from the Pritchard & Goring book (Pritchard & Goring 1845) mentioned in the beginning of the section by Wythes. The Pritchard and Goring book is stated by Quekett to be the source of his material on ‘test objects’. Quekett’s text is largely in quotation marks. Regardless of which source Wythes used, it is obvious that Quekett was not the original author of the material appearing in the Wythes book. Consequently, the reviewer accusing Wythes of plagiarising Quekett appears to have picked a rather bad example. As noted in the figure legend, interestingly, the contentious section on ‘test objects’ does not appear in the third and fourth editions of Wythes’s book. One might speculate that he took the criticism to heart.



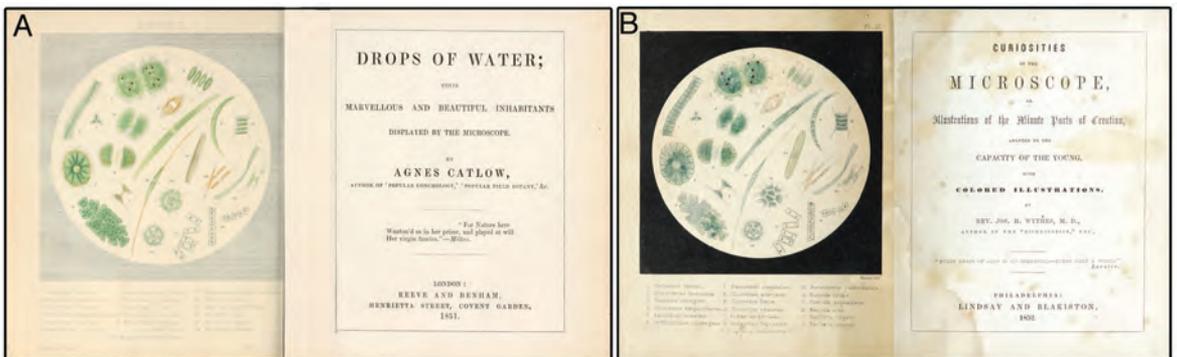
**Fig 1.** Shown in A: Pages 39 and 40 of “Test Objects” from Pritchard & Goring’s 1854 *Microscopic Illustrations*. Shown in B: Page 427 of Quekett’s *A Practical Treatise on the Use of the Microscope* (1848). Pritchard & Goring are given as the source of the material; note the quotation marks. Shown in C: Page 101 from Wythes’s 1851 *The Microscopist*. The unattributed drawing in Wythes appears to be from Quekett, but the text (box) may have been copied from directly from Pritchard & Goring whose work is mentioned by Wythes in the beginning of the chapter. Recall that in his preface Wythes states that “free use has been made of English authorities”. The ‘Test Objects’ chapter was included in the second edition but not in the third edition (1877) or the fourth and last edition of Wythe’s book (1880). For these latter two editions Wythes dropped the “s” at the end his name.

## 2. Did Wythes copy Catlow?

The second issue of the *Quarterly Journal of Microscopical Science* carried a review of Joseph Wythes's second book, *Curiosities of the Microscope*, destined for a young audience (Wythes 1852). The short review (Anon. 1853b) stated that plates and descriptions of infusoria were directly copied from Agnes Catlow's *Drops of Water*. The review concluded by saying:

On account of the proved plagiarism of this part of the work, we understand the publishers of Miss Catlow's book have been enabled to prevent the further sale of the American work. We have felt it our duty to call attention to this gross violation of the rights of authorship, and regret to find that it has been perpetrated by a gentleman who claims by his titles to belong to both the medical and clerical professions.

What the review did not point out was that not only were the plates and text copied from Catlow's book, the Wythes book reproduced the nearly square shape of the Catlow book as well as the distinctive page design of the text in a large square (Fig. 2). The evidence appears strong that Reverend Joseph Wythes made free with Catlow's book. The charge of plagiarism apparently did not deter the sale of Wythes's book in America as the second (1853) edition of his microscopy manual included a full page advertisement for *Curiosities of the Microscope* with several very laudatory blurbs attributed to various periodicals (Fig. 3). Interestingly, the advertisement did not appear in the third edition (Wythe 1877), in the fourth edition (1880) nor in the last ('fourth enlarged') edition (Wythe 1883).



**Fig. 2** Shown in **A**: Catlow's 1851 *Drops of Water*. Shown in **B**: Wythes's 1852 *Curiosities of the Microscope* (B). Note that Wythes book reproduced not only Catlow's plates, but also the nearly square shape of the book and the page design.

Oddly enough both books are cited in the history of popular microscopy in 19th-century America by Warner (1952) but without any mention of their remarkable similarity. One might ask what is the legacy of the two books? Catlow's book is a well-known popular Victorian account of the microscopic world still cited in recent years (e.g., Keene 2015, Lightman 2015; Dolan 2019). I could find no citations of Wythes's

1852 book. It would appear that Catlow's popular account is still remembered while Wythes's book has been largely forgotten.

### 3. Did Hogg copy Wythes?

The charge that the English author Jabez Hogg FLS in his 1854 book *The Microscope* (Hogg 1854) copied material from Wythes's American manual *The Microscopist* was made in an unsigned review of Hogg's book in the fourth issue of the journal *The North American Medico-Chirurgical Review* (Anon. 1857). It appeared in July of the journal's inaugural year. The journal was founded and edited by two well-known physicians, Samuel David Gross and Tobias Gideon Richardson. Of the two editors, Richardson was the author of *Elements of Human Anatomy* (Richardson 1858), containing considerable material on microscope structures, and so appears to be the more likely expert on microscopy. Furthermore, the samples given in the review concern the section on micro-injections, a topic presumably, with which the anatomist Richardson would be quite familiar. The scathing review begins with the paragraph below:

Our Transatlantic neighbors have so often indulged in whining complaints of the appropriation of their literary labors by others, that it has become a sort of stereotyped criticism upon American publications, no matter how faithfully they may have given credit to their contemporaries when occasion required a reference to their productions. In this instance, however, now before us, the boot is on the other foot. The book of Mr. Hogg has, no doubt, considerable merit as a compilation; and in giving it this title, we mean no disrespect, for it is our opinion, that no useful book on the microscope has been, or can be written, which is not, to a great extent, a compilation. Even Quekett, whose work is regarded as a standard, is largely indebted to his predecessors, especially the works of Pritchard and Goring. Yet that some notice should be taken of their researches, is certainly due to those who have gone before, no matter to what nation they belong. In the work of Mr. Hogg, this common principle of courtesy, and we might add, of honesty, is entirely ignored in reference to an American author, the first, we believe, in this field of research in this country, Dr. Joseph H. Wythes, from whose book, "The Microscopist", whole paragraphs, and nearly



Fig. 3 The advertisement for Wythes's *Curiosities of the Microscope* in the fly pages of the 1853 edition of his microscopy manual, *The Microscope*.

an entire chapter, have been copied verbatim et literatim, without the slightest acknowledgement or reference—a Hogg-ish proceeding certainly.

As the reviewer begins by commenting on English complaints about Americans, and goes on to specifically mention the English source (Quekett) Wythe was accused of copying, it appears then that the reviewer was directly responding to accusations made earlier against Wythes in the *Quarterly Journal of Microscopical Science* (Anon. 1853a). The review goes on to present several sections of text from Wythes's book side by side with the corresponding text from Hogg's book. An example of the texts and the illustrations are given in Fig. 4. The evidence of copying by Hogg appears unambiguous. The parting shot of the reviewer exposes a certain disgust, which is telling evidence that while not illegal, copying was obviously considered unethical and perhaps even despicable:

We can scarcely trust our pen to express our utter contempt for the conduct of which Mr. Hogg has been guilty, and dismiss the subject with the above exposé of his plagiarism.

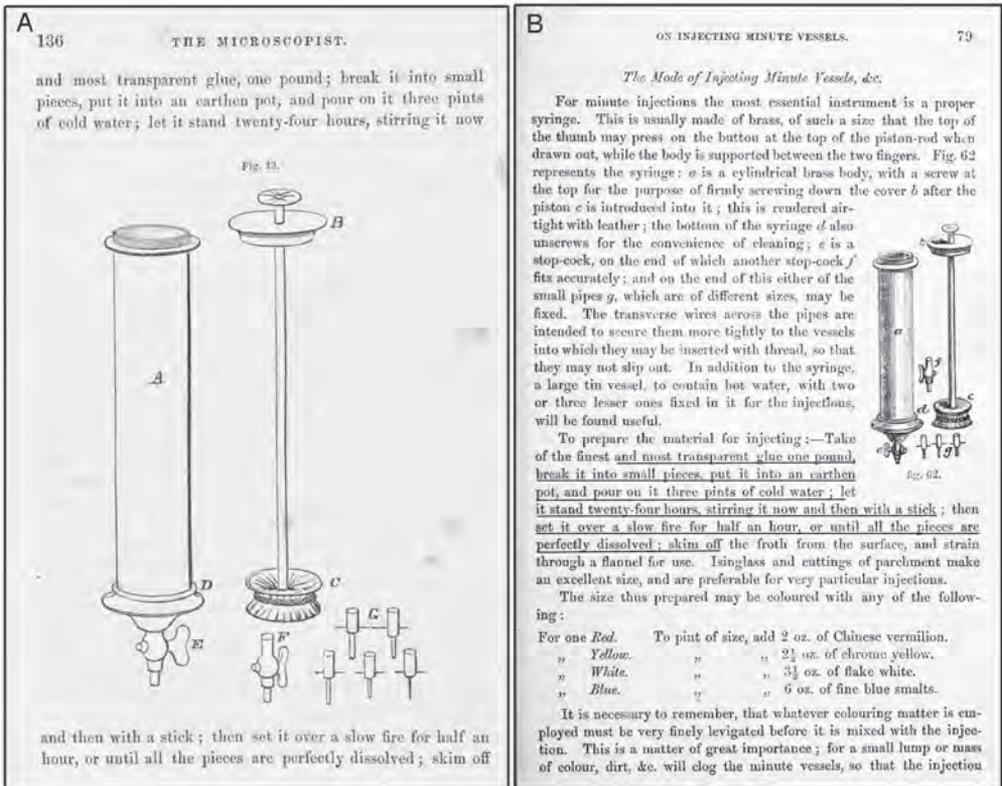


Fig. 4 Shown in A: Page 136 from Wythes's 1851 *The Microscopist* showing the syringe for micro-injections and instructions for preparing injection material. Shown in B: Page 79 from Hogg 1854 containing both the sketch of the syringe and the instructions without attribution of any sort. The text and illustrations were included in all the subsequent editions of Hogg's book, up to and including the last and 17th edition (1898) that appeared the year preceding Hogg's death.

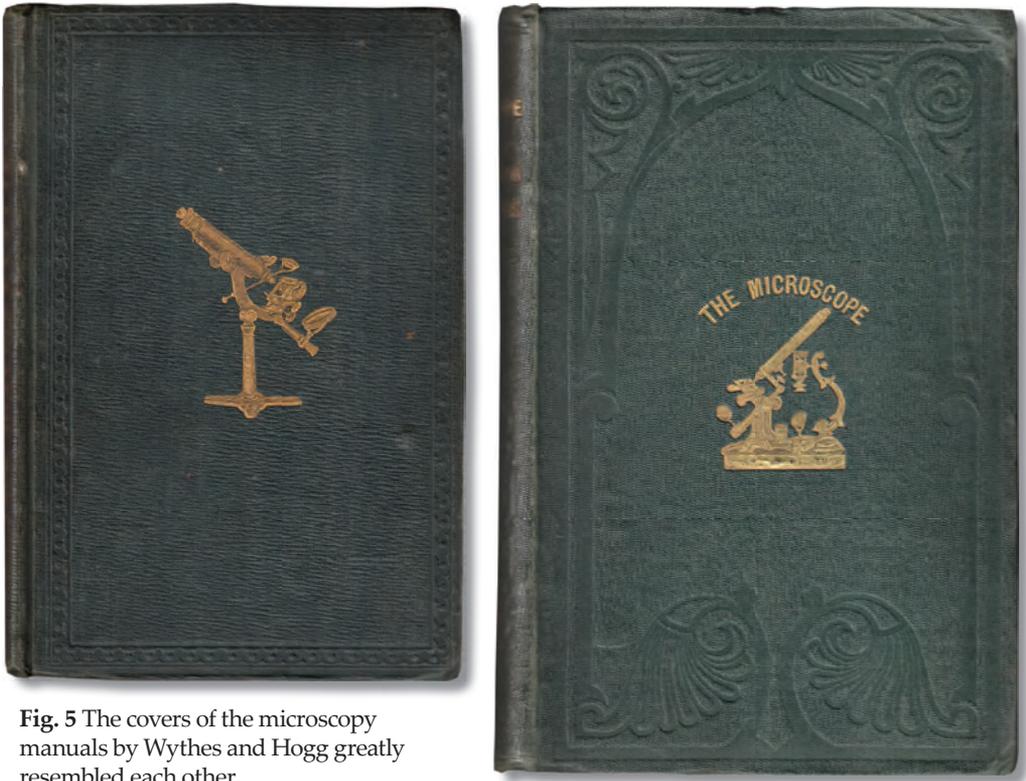


Fig. 5 The covers of the microscopy manuals by Wythes and Hogg greatly resembled each other.

The Wythes and Hogg books, like the Wythes and Catlow books, physically resembled each other at least judging from covers (Fig. 5). However it should be pointed out that the design of the cover of a book was perhaps not one of the prerogatives of an author. If publishing a book in the 1850s is anything like it is now, it is the publisher who tightly controls the overall design and appearance of a book.

Hogg's book was also reviewed in the *Quarterly Journal of Microscopical Science* but quite glowingly, with no mention of any similarities with the Wythes book reviewed earlier (Anon. 1854). As noted in the legend to Fig. 4, Hogg included the contentious material in all the subsequent editions of his book. Hogg seems then to have been either ignorant of, or indifferent to, the charge of plagiarism. It should be mentioned that both Joseph Wythes and Jabez Hogg were substantial personalities in their respective communities. Wythe was a 'Professor of Microscopy and Biology in the Medical College of the Pacific' in San Francisco, a school that merged with the University of California Medical School in later years. Wythes's pocket-sized *The Physician's Dose and Symptom Book* went through 17 editions. Hogg was quite active in the Royal Microscopical Society (Michael 1941), and a member of the Royal College of Surgeons of England. Neither appeared to have had their careers damaged by

accusations of plagiarism. Finally, one could say that, in the end, the duel appears to have been a draw.

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