June 2003

If Rumors Were Horses

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VOLUME 15, NUMBER 3

Against the Grain

c/o Katina Strauch
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TM

JUNE 2003

Against the Grain

"Linking Publishers, Vendors and Librarians"

The "New" Out-of-Print Marketplace

by **Narda Tafuri** (Acquisitions Librarian, Harry & Jeanette Weinberg Memorial Library, University of Scranton, Scranton, PA 18510-4634; Phone: 570-941-7811; Fax: 570-941-7809) <tafuri1@scranton.edu>

In 1994, my husband and I attended the *Out-of-Print Book Seminar*, a four day intensive course for those interested in entering the out-of-print book business held at **Colorado College** in Colorado Springs and led by then editor of *AB Bookman's Weekly*, **Jacob Chernosky**. Since this introduction to the world of out-of-print books I have seen the business shift from its years-old traditions of "want lists" and postcards to its present dot.com model where titles are easily searched and acquired online at prices that have gotten lower and lower. In my article for this special issue of *Against the Grain* on out-of-print materials, I give a quick overview of the challenges librarians face in the new out-of-print marketplace and a short glossary of terms to get you started.

As the wife of an out-of-print bookseller, I have drawn upon my husband's experience in this evolving business and have coerced him to give us an insider's view of what it's all about. **Peter Tafuri**, owner of **Frost Pocket Farm** books, will teach us what it takes to be an Internet based out-of-print bookseller in today's OP marketplace, in case you are inclined to give up your day job.

Richard Weatherford was there when the revolution of bringing the OP book business onto the "Information Superhighway" began. In fact, he was one of those leading the charge, first as president of **Interloc** and later as founder of **Alibris**. **Dick** takes us back to the "good old days" and gives us a "heads up" on where we're likely to be going in the future.

Just at a point when many out-of-print/used bookstores are closing their doors and going strictly online, **David Gray** and **Malcolm Brantz** are finding ways to stretch the shrinking acquisitions dollar, as well as encourage faculty involvement in the acquisitions process, through using independent, wholesale, and mega bookstores for collection development at **Marshall University** and the **Colorado Christian University**.

A whole new life is being given many out-of-print books through the use of digital scanning projects now under way. **John Riley** gives an overview of two ongoing projects. **John** interviews **John Mark Ockerbloom**, founder of

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If Rumors Were Horses

A lot's been happening, just like always. First off, I think I goofed! (That never happens.) I have been meaning to tell y'all about **KATHRYN BOYD** who is the wonderful new Head of the **Acquisitions Services Department** at **SUNY Albany** as of February 13. **Kathryn** comes from the **Queens Borough Public Library** in Jamaica, New York, where she served as Coordinator of Collection Development, among other positions. She holds an M.L.S. in Library and Information Science and an MA

in French Language and Literature, both from the **University of Illinois at Urbana-Champaign**. Ms. Boyd will manage a department of 18 and is responsible for ordering, receiving, licensing and paying for all information resources provided to the

campus by the **University Libraries** as well as managing the funds that pay for these resources. Zut, alors!

What are you doing Sunday, June 22 from 1:30 — 5:30? The awesome **Athena Michael** <amichael@wiley.com> wants us to come to the **AAP/ALCTS Joint Committee** program — **Digital Rights, Digital Wrongs: The Impact of International Copyright Law on What Gets Published (And What Librarians Can Buy)** during the **ALA Annual Conference** in Toronto. The program looks great and includes among others the awesome **October Ivins** <october.ivins@mindspring.com>, **Sarah Sully** (JSTOR), **Ian Jacobs** (Palgrave), **Stephen Abram** (Micromedia ProQuest, Canada), **Peggy Johnson** (University of Minnesota), and **Paul Whitney** (Vancouver Public Library). This is located in the **Westin Hotel, Frontenac Ballroom**. Be there or be square!

More. **Norman Desmarais's** youngest daughter, **Denise**, graduated from **Providence College** on May 18! When a faculty member's child graduates from the College there is a tradition of letting

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From Your (entertaining) Editor:

That's not what I mean. I know I'm entertaining and all that, but I mean real entertaining, like having people over to your home. Happy spring, y'all! Coming up is Memorial Day Weekend and the **Strauchs** are expecting hordes of company. Son **Raymond** and his fiancée **Lindsay** and her parents, brothers, dogs and cats, etc., etc., will be here. It's going to be ... well ... a zoo. And I am still cooking and cleaning. Have to make a good impression, right?

In the meantime, your intrepid editorial team has been hard at work putting together this issue of *ATG* on "The New Out-of-Print Marketplace." **Narda Tafuri**, our guest editor, has brought together papers from **Peter Tafuri**, **Richard Weatherford**, **John Riley**, **David Gray** and **Malcolm Brantz**, and **Gary Handman** as well as an interview with **Deanna Ramsay**,

Bookseller. There's also an interview with **Ernie Ingles** as we all get ready to head to Toronto for **ALA** and **CLA**. We also have interviews with **Joe Lee** and **Roger Press** who both had profiles appearing in the April issue of *ATG*. And don't miss the **Vladimir Zaitsev** interview provided by **Fred Lynden** and translated by **Irina Lynden**.

This issue has tons of people profiles including **Narda Tafuri**, **Peter Tafuri**, **Dick Weatherford**, **David Gray**, **Malcolm Brantz**, **Michelle Flinchbaugh** and our library profile by **John Long** is about the **William H. Hall Free Library** in Cranston, Rhode Island. There's a Back Talk from **Tony Ferguson** about SARS, Book Reviews from **Debbie Vaughn** and **Sheila Seaman**, and of course **Tom Gilson** has reviewed more reference titles for us in From the Reference Desk. **Elizabeth Steinhagen**,

Christine Mueller and **Terry Hill** fill in our *And They Were There*

with reports from the 2003 **Transborder Library Forum** and the 12th **North Carolina Serials Conference**. **Françoise Crowell** has a Bestsellers list of titles in Physics and Chemistry and there are two papers by **Norman Desmarais** about the Innovations Affecting Us. Plus lots more from many of our regular *ATG* columnists.

Gotta run. I have to polish the silver and hang the curtains. My doorbell is already ringing. Have a great summer!

Yr. Ed.

Letters to the Editor

Send letters to <strauchk@earthlink.net>, phone or fax 843-723-3536, or snail mail: **Against the Grain**, MSC 98, The Citadel, Charleston, SC 29409. You can also send a letter to the editor from the *ATG* Homepage at <http://www.against-the-grain.com>.

Dear Editor:

We have just now subscribed to *Against the Grain* here at **Dickinson College** so I only recently stumbled on to **Joyce Ogburn's** article on Digital Scholarship in the February issue. It was a delight to read such a well-articulated, cogent summary of the issues. I've still my reservations about the overall peer-review process in digital scholarship, but I appreciate the way *Against the Grain* lays out the perimeters of an subject and lets readers conclude what they will.

Well done. Much appreciated.

Steven McKinzie
<mckinzie@dickinson.edu>

Rumors from page 1

the parent (Norm) cross the stage with the child (Denise). The President of the College gave the diploma to **Norm** who conferred it on **Denise**. Pretty thrilling.

And, from the retirement front — I just heard from the splendidly energetic **Ted Arnold** <arnoldte@bellsouth.net>. We'll never forget **Ted Blackwell's Book Services rep** in the Southeast for many, many years! Ted says he's delighted to be retired. He's taken care of loose ends and is looking forward to some serious fun for the next several years. Apparently that includes visiting friends in Bangkok in the fall and spending time on his farm in Alabama in a few years. Ted even said he heard from **Charles Wittenberg** (I wonder if Charles still wears Mickey Mouse watches?) for the first time in three years. Whoa! Sounds like old home week!

A few days later, what to my wondering eyes should appear but a snail mail from **Ted** (above). It was an article he clipped out of the **Athens (GA) Banner-Herald** (May 10, 2003), p. C1. The article's entitled "Publish or Perish" and is by **Bruce Borowsky** with photos by **R.C. Rique**. It's about **Hill Street Press**, an independent Southern publishing house launched in May 1998 and now celebrating its fifth anniversary. **Hill Street Press** was formed by **Tom Payton**, **Judy Long**, **Patrick Allen**, and **Anne Boston** and, by all accounts is doing very well. Sounds like an inspiration to all us book lovers everywhere.

You know, I was perusing our approval plan shelves the other day and was suddenly curious about indexing of print monographs. Is it still taking place at the rate it has always taken place? What effect, if any, is electronic dissemination having on indexing of monographs? What is the effect of fulltext keyword searching on indexing of monographs? Anyway, I decided to call a few people to see what they thought. Maybe even find someone to guest edit an issue of *ATG* on this topic. So, I immediately thought of **Bob Birch** (once at Greenwood), but I knew that I had not seen him at the Conference this year and wondered where he was and what he was doing. Voila! Enter **Matt Nauman** <Matt.Nauman@Blackwell.com> who tells me that **Bob** is teaching at **Union Theological Seminary** in New York, but **Bob's** lovely wife

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AGAINST THE GRAIN DEADLINES VOLUME 15 — 2002-2004

Event	Issue	Ad Reservation	Camera-Ready
Reference Publishing	September 2003	07/09/03	07/30/03
Charleston Conference	November 2003	09/17/03	10/08/03
ALA Midwinter	Dec. 03/Jan. 04	10/29/03	11/19/03

FOR MORE INFORMATION CONTACT

Edna Laughrey, Ads Manager. Address: 291 Tower Drive, Saline, MI 48176;
Internet: elaughrey@aol.com; Phone: 734-429-1029; Fax: 734-429-1711.

Rumors from page 1

Emily <ebirch@greenwood.com> is still working at Greenwood and she just sent word that his email is <rbirch@yahoo.com>. Hi to Bob and Emily. And is there anyone out there who wants to work on an article or issue of *ATG* about indexing of monographs?

And, speaking of the fabulous **Matt Nauman**, this one is about the even more fabulous **Patty Davis**! Patty has been promoted to Senior Customer Service Representative and Head Trainer for the Customer Service Department for **Blackwell's Book Services**. Patty has been in Customer Service for 12 years and this is bad for all of us customers who know how wonderfully competent and unparalleled she is to work with. But it is good for **Blackwell's** which is moving to a new distribution and order management system. Taking Patty's place will be **Adriane Davison**. Congratulations to Patty and welcome, Adriane!

Gaylord Information Systems has changed the name of the company to **GIS Information Systems, Inc.** This change follows on the announcement that **DEMCO, Inc.** has acquired the **Gaylord** library supplies and furniture division of **Gaylord Bros., Inc.** from the **Croydon Company**. **Croydon**, which has owned **Gaylord Bros.** for more than thirty years, will continue to own **GIS Information Systems, Inc.** In addition to its library automation systems, **GIS Information Systems, Inc.** offers workflow analysis, retrospective conversion, database enhancement and network security services to libraries of all types. Thirty percent of **GIS** staff is composed of professional librarians. www.gisinfosystems.com

ALA and **ACRL** have offered comments on the Draft Statement of Work for the Design of the new **ERIC** system, as proposed by the Department of Education. These comments were informed by **ACRL's Education and Behavioral Sciences Section (EBSS)**. **ALA** is very pleased that the **Department of Education** recognizes the importance of **ERIC** and stands ready to offer whatever assistance necessary to work toward strengthening **ERIC** and its services. To read the entire press release, visit <http://www.alawash.org>.

Some updates to the **Department of Education's** proposed reorganization of the **ERIC** system are located at this URL. <http://www.arl.org/info/fjn/other/ERIC03.html>

Bertelsmann is selling the specialist publishing group **BertelsmannSpringer** to the private equity firms **Cinven** and **Candover**. The agreement of sale was signed on May 12, with retroactive effect as of April 1. The takeover still has to be approved by the Federal Cartel Office. The debt-free purchase price is €1.05 bn. The 70 companies that comprise **BertelsmannSpringer** publish 700 magazines and more than 4,000 new book releases in the fields of science, medicine, economics, engineering, architecture, construction and transport each year. In 2002, **BertelsmannSpringer** generated total revenues of €731 million and Operating EBITA of €71 million. The group has op-

erations in 16 countries, with over 5,000 employees. The transaction is subject to antitrust approval. It remains to be decided whether **Candover** and **Cinven** will acquire **BertelsmannSpringer's** activities in France, which account for 4.5 percent of total revenues. **Bertelsmann** Chairman & CEO **Gunter Thienen** asserts that the sale will allow **Bertelsmann** to concentrate on their "core businesses." **Bertelsmann's** specialist publishing division was founded in 1953. In 1999, **Bertelsmann** took over the majority of the international science publisher **Springer** and merged it with **Bertelsmann Specialist Publishing**, creating the **BertelsmannSpringer** division. Today, **BertelsmannSpringer** includes publishing companies such as the **Springer** science publishing company, **Birkhäuser**, **Ärzte Zeitung**, **Princeton Architectural**, **Key Curriculum**, **Platow**, **Gabler**, **Bauverlag**, **Heinrich Vogel** as well as a number of online services and the electronic service **SpringerLink**. In 2002, **BertelsmannSpringer** contributed 3.9 percent of **Bertelsmann's** total revenues. **Cinven** and **Candover** are two of Europe's leading private equity companies.

Cinven was founded in 1977 and has carried out over €40 billion in corporate acquisitions to date. **Candover** was founded in 1980. Its transactions to date have a total volume of more than €22 billion. **Candover** has been traded on the London stock exchange since 1984. In January 2003, **Candover** and **Cinven** acquired the specialist information group **Kluwer Academic Publishers** from the Dutch information group **Wolters Kluwer**. http://www.bertelsmann.com/news/press/press_item.cfm?id=7711

This update from **Reuters** on May 13 by **Merissa Marr**.—"British-based **Cinven** and **Candover** said they would merge **BertelsmannSpringer** with their own publisher **KAP**, bouncing them to the number two slot in academic publishing to take on industry giant **Reed Elsevier**." <http://www.reuters.com/newsArticle.jhtml?type=topNews&story>

Recently had a visit from the incredible **John Laraway** (Blackwell's). He tells us that **Jordan Scepanski** and his wife are in the United Arab Emirates.

Heard from **Steven McKinzie** <mckinzie@dickinson.edu> (Social Science Librarian at Dickinson College). Steve has just gotten back from his daughter's graduation. Always exciting. Plus he was writing re **Joyce Ogburn's** excellent article in the February issue of *ATG* (see February 2003 *ATG*, pp. 20). It's about digital scholarship and peer review, see this issue pp. 6.

Y'all may have noticed that **ALA** has launched a new Website — www.ala.org/. Go there and see what you think! Also, the **Australian Library and Information Association** has launched their own new Website as well — www.alia.org.au/. When it rains, it pours!

Forty years ago, **Marcel Dekker** launched a chemistry publishing company out of his apartment on Manhattan's East side. This is an independent, family-run company. Did you read **David Dekker's** interview in the April issue of *ATG* (p.54-58)?

Sad news. **Caltech University Librarian, Anne Buck**, passed away on April 2nd after a six-month battle with cancer. **Anne Buck** came to the **California Institute of Technology** in 1995 as **University Librarian**, after having worked in corporate research and academic environments since 1977. **Buck** started her library career in 1974 as the director of the **Dunbar Public Library** in West Virginia. She is a graduate of the **University of Kentucky** (MS in library science, 1977) and **Wellesley College** (BA in geology, 1961). In 1996 she was named **Alumna of the year** by the **University of Kentucky School of Library and Information Science**. She is listed in *Who's Who in America*, *Who's Who in the West*, *Who's Who in American Education*, and *Who's Who of American Women*. <http://library.caltech.edu/buck/>

This is from **Edupage**, May 14, 2003 via **Reuters**, 12 May 2003 — **Universal Music Group** plans to join a lawsuit filed by music publishers in February against **Bertelsmann**. The lawsuit alleges that **Bertelsmann's** investment in the file-trading service **Napster** contributed to music piracy until it was shut down in 2001.

Other major record labels, **Warner Music**, **Sony Music**, and **EMI**, have not said whether they plan to join the suit. <http://www.reuters.com/newsArticle.jhtml?storyID=2726643>

Speaking of music piracy, etc., did you catch the recent article in *Fortune* (May 12, 2003, p. 53 ff) about **Steve Jobs' new iTunes Music Store**? "Songs in the Key of Steve" by **Devin Leonard**. It remains to be seen if this legal digital music service will be a success, but this article is full of positive hype for the new service which many see as the salvation of the ailing music industry.

The Association of Research Libraries is offering the **Online Lyceum** course **Effective Decision Making**. The course is designed to help participants (people who must make decisions affecting all levels of organizational performance) to build criteria, develop problem statements or decision frames, recognize and select appropriate decision styles, use interpersonal skills to gain support from others. Instructor is **Kathryn Deiss** (Program Director for Education and Training, Chicago Library System). For further information, visit www.arl.org.

Did you see the very interesting article in the *Chronicle of Higher Education* for May 15, 2003? "Ohio State U. Plan to Put Dissertations Online Meets Resistance from Graduate Students" by **Scott Carlson**. Apparently, History and English graduate students, especially, do not want their dissertations put on the Web

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Rumors from page 8

because they fear that they will not be able to get published in print. As usual, there are administrators and lawyers involved as well.

Have you visited **Blackwell's Online Bookshop** recently? It has undergone a complete interface transformation, in order to create a unique online experience for users in the academic community. Says the effervescent **Martha Whittaker**, "Our online bookshop's new look was implemented to reinforce our position as an academic alternative to other online booksellers whose focus is the general consumer." To celebrate the new site redesign, **Blackwell's Online Bookshop** is offering a 10 percent discount on all titles plus free shipping regardless of the dollar value or quantity of the customer's order. <http://www.shopblackwells.com/libraries>

Richard N. Armstrong, Ph.D., **Vanderbilt University** professor of biochemistry and chemistry, has been named editor of *Biochemistry*, a peer-reviewed journal published by the **American Chemical Society**, effective January 2004. As editor, **Armstrong** wants to see the journal expand its coverage into the fields of genomics and chemical biology. **Armstrong** received his B.S. degree in chemistry from **Western Illinois University** in 1970 and his Ph.D. from **Marquette University** in organic chemistry in 1975. He did postdoctoral work at the **University of Chicago** and was an assistant professor of chemistry at the **University of Maryland**. *Biochemistry* is a weekly journal

that targets the rapidly changing areas of chemistry, biochemistry, and molecular and cell biology. <http://pubs.acs.org/journals/bichaw/index.html>

In January, the wonderful **Tom Gallina** <tgallina@wolper.com> was named the new Vice President and General Manager for **Wolper Subscription Services**. Tom oversees operations for **Wolper** which he joined from **Faxon** where he spent five years as Vice President and General Manager for both **Faxon Illinois** and **Turner Subscriptions**. We old timers remember that Tom previously spent over 21 years at **Readmore** (Blackwell) in several high-level positions, including Director of Operations, and Vice President of Operations. **Wolper Subscription Services, Inc.** has been around for over 25 years. It is a family-owned business run by **Susan Wolper**. **Wolper** serves as the Preferred Subscription Agency to various membership organizations, and has been chosen by many publishers to serve as their subscription management agency. In addition, **Wolper** represents several Fortune 500 companies as well as academic, public, and corporate research libraries. www.wolper.com/

More about **Wolper**. In March, **JoAnne Kelley** was named the new National Sales Manager. JoAnne will be targeting new business opportunities for **Wolper** as well as maintaining existing client relationships. JoAnne came from **Faxon/RoweCom** where she spent 20 years in several management positions. Most recently, she had been their National Sales Manager working within the corporate sector. Congratulations to both **Tom** and **JoAnne** and **Susan**!

The Association of American Publishers Professional and Scholarly Publishing Division (PSP) named **CQ Supreme Court Collection Best Internet database** for 2002. <http://library2.cqpress.com/>

The hard-working, energetic, cheerful, competent, and perfect **Rosann Bazirjian** (Assistant Dean for Technical & Access Services, University Libraries, The Pennsylvania State University) (Director, **Charleston Conference**) (Guest Editor, April 2003 **ATG**) <rvb9@psu.psu.edu> will be taking a well-deserved vacation for the entire month of July. She is going to Alaska! In the meantime, in her spare time, she guest-edited the April issue of **ATG** ("Retention of Print") and put together the preliminary program for the **Charleston Conference** flyer which should be coming your way with this issue of **ATG**. Have a great time, Rosann!

Ramune Kubilius, another **Charleston Conference** Director, (Galter Health Sciences Library, Northwestern University) <rkubilius@northwestern.edu> reports that the preliminary **Charleston Conference** flyer was distributed at the **Medical Library Association Conference** in San Diego, including at the **Collection Development Section** business meeting. The on-the-ball **Ramune** reports that there will be a **Lively Lunch on Health Sciences Collection Development**. **Ramune** will be the moderator, and the panel will include **Jo Anne Boorkman** (University of California, Davis); **Beth Jacoby** (University of Maryland); and **Elizabeth Lorbeer** (Rush University).

Did you read this article in the **Boston Globe Online** (May 4, 2003), p.H2 —"Biblioclasm: The destruction of Baghdad's library is only the latest chapter in the long, sorry war on words" by **Matthew Battles**. It's a pretty sobering article and should remind all of us of the importance of maintaining the heritage and culture of libraries for posterity. **Matthew Battles** is the author of *Library: An Unquiet History*, which will be published by Norton in June. He works at Harvard University's **Houghton Library** and lives in Jamaica Plain. [/globe/search/copyright.html](http://globe/search/copyright.html)

Meanwhile, back at the library ranch, there are librarians trying to digitize such important collections. It goes without saying that if the **Baghdad Library** or the **Alexandria Library** could have been digitized, burning down the paper originals would not have destroyed the historic record. I tell you **Michael Keller** <Michael.Keller@Stanford.edu> is something else. Did you see the article in the **New York Times**, May 12, 2003 by **John Markoff** called "The Evelyn Wood of Digitized Book Scanners?" According to **Markov**, the first book-scanning robots were introduced this spring by **4DigitalBooks** of St. Aubin, Switzerland, and **Kirtas Technologies** of Victor, New York. These robots (which no one will tell us the cost of) have advantages over manual digitization since the books can be digitized close to home and a robot can scan at speeds of more than 1,000 pages an hour. Realistically speaking, we're probably a long way off from being able to digitize the world's great libraries (**Keller** estimates

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Rumo(u)rs from Paddington

by **Daryl Rayner** (Marketing Director, xrefer; Phone: +44 (0) 20 7479 9204;
Fax: +44 (0) 20 7479 9212) <daryl@xrefer.com> www.xrefer.com www.xreferplus.com

It is good to see that Spring — even Summer — appears to have finally arrived in London. My colleagues and I, in an attempt to get fit, have been running around **Hyde Park** at lunchtime. The pain of the run (and it doesn't appear to be getting any easier) is slightly softened by the beautiful flowers that are now in full bloom and the spectacle of people in rowing boats and pedalos on the Serpentine.

Last week I travelled up to Manchester to speak to a group of librarians in the Central Library in St Peters Square. **Eddy Hornby** from Stockport libraries <eddy.hornby@stockport.gov.uk> did a terrific job in organising the meeting. It is some time since I have been to Manchester and I was totally bowled over by the wonderful buildings in the city. The central library is in a stunning round building <http://www.ukattraction.com/north-west-england/central-library.htm> with the most amazing collection of books. I recommend a visit if any of you are planning a trip to the UK in the near future.

More news from around the continent. The **British Library** has just launched its biggest ever digitisation programme for a new Website called **Collect Britain**. According to the **British Library**, "the site will go online on 21 May and by 2004 you'll be able to see and hear a

staggering 100,000 images and sounds from our world-renowned collections — without ever coming to London" <http://www.bl.uk/about/inplaceintro.html> I'm not sure that the **British Tourist Board** will approve!

JISC are inviting librarians "to come to a one-day seminar introducing you to the full range of **JISC** and other nationally-funded resources and services available online for the Arts and Humanities." Their road show, which is taking place between June and September, will be held at prestigious universities such as **Kings College** in London and the **University of Oxford**. You can see the full programme at: <http://www.humbul.ac.uk/events/>.

The **German Resources Project (GRP)** meeting will take place in Munich at the **Goethe Forum** on Tuesday, July 29th <http://www.lib.duke.edu/ias/WESS/Munich.htm>. The conference language is to be English (phew!). The annual **IFLA** meeting will take place in Berlin this August from 1st-9th. I hope to see some of you there. Also in August (17th-22nd), but this time in Trondheim, Norway the **7th European Conference** on Research and Advanced Technology for Digital Libraries. The **International Conference** on Grey Literature will take place in Amsterdam from 4th-5th December at the "Royal Netherlands Academy of Arts and Science" [http://](http://www.textrelease.com/pages/2/index.htm)

www.textrelease.com/pages/2/index.htm.

I can report that the May issue of the **Internet Resource Newsletter** is now available. <http://www.hw.ac.uk/libwww/irn/irn104/irn104.html>. Edited as always, by the tireless **Roddy Macleod** of **Herriot Watt University** <R.A.MacLeod@hw.ac.uk>.

I am told that the **UK Serials Group** had a very successful meeting in April also at **Herriot Watt University** with over 500 delegates attending. Speakers included **Jonathan Eaton** from the **London Business School**, **Richard Gedy** from **Oxford University Press** and **Jan Velterop** from **BioMedCentral**. The presentations can be downloaded from <http://www.uksg.org/events/previous.asp>.

At **Roehampton University** a restructuring has led to **Adam Edwards** being made Head of Academic Liaison and Customer Development and **Elizabeth Powis** as Customer Development Manager. **Richard Beveridge** has joined **Instant Library's** Business Development team. He was previously at **Dialog** and bankers **Lazard Brothers and Co**. **Richard** will be developing **Instant Library's** commercial customer base.

And finally, at **xrefer** we are pleased to announce that we now have an office in Boston headed up by **Jeffrey LaPlante** <Jeffrey.laplante@xrefer.com> and that **Richard Charkin** <r.charkin@macmillan.co.uk> has recently become our Chairman. Until next time....**Daryl**.

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Rumors from page 10

that it would take \$250 million to digitize 8 million volumes in the **Stanford libraries** plus there are always copyright problems). Read this article. It's an inspiration! <http://www.iht.com/articles/95999.htm>

And, speaking of books coming up for publication. The College of Charleston's crack Architect **Gene Waddell** has just completed a two-volume work on **Charleston Architecture, 1670-1860**. I can't wait to see it. It's already listed on **Amazon.com**. Out in November just in time for the Conference!

The **South-Central Library Consortium of Pennsylvania (SCLCPA)** and **Docutek** have announced the selection of **Docutek VRLplus** as the virtual reference library solution for the seventeen libraries across four counties in south-central Pennsylvania that make up the consortium. **SCLCPA** is different than most in that its members include a mix of public, academic, K-12 and special libraries; currently nine **SCLCPA** libraries are using **Docutek VRLplus**. **SCLCPA** serves a largely rural population and the addition of digital reference services extends the library to those patrons who are unable to visit a local library. <http://www.ship.edu/~library/sclcpa/index.html>

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The **ALPSP** and **ALPSP/Charlesworth 2003 Awards** which recognize significant achievement in the field of learned and professional publishing are now open. The six categories are: **ALPSP/Charlesworth Award for House/Membership Journals**; **ALPSP/Charlesworth Award for Learned Journals**; **ALPSP Award for Service to ALPSP**; **ALPSP Award for Service to Not-for-Profit Publishing**; **ALPSP Award for Publishing Innovation**; and **ALPSP Award for Publisher/Library Relations**. The Awards are international. Deadline for this year is May 31, 2003, but if you want more info for next year, email: <events@alp.org>, or telephone: 01245 260571. Further details and application and nomination forms can be found at www.alp.org/awards2003.htm.

ProQuest Company's (NYSE: PQE) **Information and Learning unit** has announced an exclusive agreement with **Sage Publications** to bring 21 key business and management titles to **ABI/INFORM**. The **Sage** titles to appear in **ABI/INFORM** will support research in accounting/finance, change management, human resource development, marketing, and organization studies. <http://www.proquest.com/proquest/>

The **Software & Information Industry Association (SIIA)** has acquired the assets of **The Internet Monitor**, publisher of the **i-Tips Newsletter**, internet-monitor.com and books, including **i-Tips 2000: The Insiders' Guide to School & Library Marketing** and **The Experts Guide to the K-12 School Market**. The bi-weekly **i-Tips Newsletter** will be published by **SIIA** with continued contributions from **The Internet Monitor** founders, **Carol Waugh**, **Kathleen Hurley**, **Kathryn Kleibacker**, and **Linda Winter**. Other **SIIA** members will also contribute articles. The content will be broadened to include topics of interest to education software publishers, information industry and Internet providers by including issues like licensing, digital rights management, business development, recruiting, funding, and leadership topics. <http://www.sii.net>

Gale, a part of **The Thomson Corporation** (TSX: TOC, NYSE: TOC), has created a new department to be known as **Rights Acquisition & Management (RAM)**. As part of an ongoing effort to build an efficient and customer-focused business for the future, **Gale** combined two departments, **Rights & Permissions** and **Copyright & Licensing**, that functioned similarly at a high level. The new department's three main functions are research and planning, rights acquisition and fulfillment. **Rights Acquisition & Management** will report to **Christine Gordon**, senior vice president. www.gale.com

Kim Gabbert <kimberly.gabbert@gale.com> is **Gale's** new **Manager of Corporate Communications**. (Beth Dempsey is stepping down so she can work part-time.) Kim brings more than 15 years' experience in the public relations and marketing fields. She most recently was **Director of Public Relations** for

Detroit's College for Creative Studies where she developed and implemented PR plans that supported the college's strategic initiatives. Before that, Kim was **Manager of Public Relations** for **The Stroh Brewery Co.**, and **Public Relations Officer** for **NBD Bank**. As **Manager of Corporate Communications**, Kim will act as main company spokesperson.

From **DealBook** (April 20, 2003 — **Jeff Bezos** of **Amazon.com** fame, has created a Seattle-based space research firm called **Blue Origin** "to pursue his dream of establishing an enduring human presence in space," *Newsweek* says. Bezos and "a stable of physicists, ex-NASA scientists, veterans of failed space startups and sci-fi writer **Neal Stephenson**" are working on rocket designs. Go *Newsweek* <http://www.msnbc.com/news/904842.asp>

Innovative Interfaces has appointed **William Ho** as **Director of Sales, Australia and New Zealand**. He will be based in Sydney. Ho was previously **Director of iGroup (Australasia) Pty. Ltd.** In this position, he was responsible for library system sales and implementations throughout Asia and Australasia as a distributor of various library technology products, including **VTLS**. Prior to that, he held sales and marketing positions with information technology companies in Singapore and New Zealand. He holds degrees in international business as well as computer science and operations research. www.iii.com

Speaking of which, the **2003 Be Innovative Awards** were announced at the recent **Innovative Users Group** conference in San Jose, California. The awards were given during the meeting's all-conference lunch, which was attended by approximately 1,200 **Innovative** customers. They honored best practices and innovations by libraries using the **Innovative** library system. The winners were: **Most Innovative Web**: **Westerville Public Library**, represented by **Tanya Taylor**. **Westerville** made extensive customizations to their catalog using many of **Innovative's** tools as well as devising some of their own. <http://catalog.wpl.lib.oh.us/search> **Most Innovative Use of INN-Reach**: **OhioLINK**, represented by **Anita Cook**. Staff at the **Ohio Library and Information Network** strive to keep their **INN-Reach** catalog of more than 8.4 million unique bibliographic records as a central resource for faculty, students, and staff of **OhioLINK's** 83 institutions. Online borrowing continues to grow. The creation of multiple links both to and from the catalog encourages heavy use. <http://olc1.ohiolink.edu/> **Most Innovative Use of Staff Modules**: **University of Ballarat**, represented by **Kevin Jewell**. **Ballarat** created an adaptation of capacitive touch screen technology in conjunction with **Millennium Circulation**. They have incorporated touch screen monitors to make the checkin desk more efficient and more ergonomic. <http://www.ballarat.edu.au/library> **Most Innovative Training Program**: **Tri-College Consortium**, represented by **Job Mark Bolthouse** of **Bryn Mawr College**. The **Tri-Colleges** (**Bryn Mawr**, **Haverford**, and **Swarthmore**) received its award for **iCheck it Out**: An Interactive Tutorial for **Millennium Circulation**. This online tutorial teaches students and staff the various

functions within the module as well as policy and procedure. Each instruction part is followed up by an interactive practice exercise. <http://www.brynmawr.edu/Library>, <http://www.swarthmore.edu/Library>, <http://www.haverford.edu/library>.

Dr. Herbert Van de Sompel of the **Los Alamos National Laboratories** is the winner of the **Frederick G. Kilgour Award for Research in Library and Information Technology** for 2003. The award will be presented at the **LITA President's Program** on June 23, 2003 at the **ALA Annual Conference** in Toronto. **OCLC Online Computer Library Center, Inc.**, and the **Library and Information Technology Association (LITA)** sponsor the award. The award was established to honor the achievements of **Frederick G. Kilgour**, the founder of **OCLC** and a seminal figure in library automation. The award is given to a person who has amassed a significant body of "real world" research in the field of library and information technology that has had an impact in the way in which information is published, stored, retrieved, disseminated or managed. It consists of \$2,000, an expense-paid trip to the **ALA Annual Conference**, and a citation of merit. Based on the research for his PhD, **Herbert** and his colleague **Patrick Hochstenbach** created **SFX**, a system that uses information passed from one information system to create locally appropriate related Web links to other systems. The **SFX** system now is in use in hundreds of libraries worldwide and parallel products have been or are now being developed by various companies, universities, and other players in the library information technology environment, all based on the insights and architecture developed for **SFX**. A key element of the **SFX** linking architecture is the **OpenURL**, a method for passing bibliographic information from one information system to another encoded in a URL. The **OpenURL** is now being standardized by **NISO** (an effort in which **Herbert** is heavily involved), and shows promise of becoming a key tool in the interoperation of distributed digital library systems. As a matter of fact, it has the potential to change the nature of links on the Web in general. With **Carl Lagoze**, **Herbert** led an international effort to devise a protocol by which systems holding descriptive metadata could make that metadata available for "harvesting" and re-use by other information systems. Originally developed to support the building of union catalogs of metadata derived from distributed e-print archives, the protocol has been generalized through work in the larger digital library world as the **Open Archives Initiative Protocol for Metadata Harvesting**. **Dr. Van de Sompel** received a Masters degree in Mathematics in 1979, and a Masters degree in Computer Science in 1981 and a Ph.D. in Communication Science in 2000 all from **Ghent University, Belgium**. He is now employed at the **Research Library** of the **Los Alamos National Laboratories** in New Mexico as **Team Leader, Digital Library Research and Prototyping Group**.

Read this report from the recent **UKSG** meeting in **BMJ** 2003; 326: 1079 — "Libraries

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Rumors from page 14

face higher costs for academic journals." This news item speaks of an article in the *Wall Street Journal* (Feb. 21, 2003) which cites a 43% increase in Elsevier's profits from last year. <http://bmj.com/cgi/content/full/>

The **California Digital Library (CDL)** has chosen **Alexander Street Press, L.L.C.**, to provide **University of California** students and scholars with many electronic resources in the humanities and social sciences. This is the second system-wide acquisition of **Alexander Street** products by the **CDL**. The full-text databases acquired are *Black Drama*; *Asian American Drama*; and *Early Encounters in North America: Peoples, Cultures, and the Environment*. These collections will be accessible to students, faculty, and staff within the **University of California (UC)**. The **California Digital Library** which partners with the 10 UC campuses in a continuing commitment to apply innovative technology to managing scholarly information, opened to the public in January 1999. Organizationally housed at the **UC Office of the President** in Oakland, Calif., the **CDL** campuses include **UC Berkeley**, **UC Davis**, **UC Irvine**, **UC Los Angeles**, **UC Riverside**, **UC San Diego**, **UC San Francisco**, **UC Santa Barbara**, **UC Santa Cruz** and **UC Merced**. <http://www.cdlib.org>

The **Copyright Office of the Library of Congress** is conducting the rulemaking proceeding mandated by the **Digital Millennium Copyright Act**, which provides that the **Librarian of Congress** may exempt certain classes of works from the prohibition against circumvention of technological measures that control access to copyrighted works. The purpose of this proceeding is to determine whether there are particular classes of works as to which users are, or are likely to be, adversely affected in their ability to make noninfringing uses due to the prohibition on circumvention of access controls. The **Copyright Office** conducted hearings in this rulemaking in Washington, D.C., on April 11, May 1, May 2, and May 9, 2003 and in Los Angeles, CA on May 14 and 15, 2003 at the **UCLA School of Law**. The full agenda and the transcripts of the hearings in Washington and in Los Angeles may be viewed on the **Hearing Page**. <http://www.copyright.gov/1201/2003/hearings/schedule.html>

Ex Libris (USA) has expanded its **Information Services Division** with the appointment of **Russell McDonald** to the position of **Vice President of Sales, Information Services Division**. McDonald, an industry veteran, returns to **Ex Libris** from **Elsevier** where he served as Vice President of Sales Strategies for the last two years. www.exlibris-usa.com

Norman Paskin (Director of the **International DOI Foundation**) <n.paskin@doi.org> made this announcement over **Liblicense** — The **International DOI Foundation (IDF)** announces that an informal consortium of three major national libraries — **The British Library (UK)**, **Die Deutsche Bibliothek (Germany)** and the **Koninklijke Bibliotheek**

(The Netherlands) — has joined the **International DOI Foundation**. <http://www.doi.org/news/030417-Library.html>

The **National Information Standards Organization (NISO)** has announced a new initiative to revise the leading standard for thesaurus construction **Guidelines for the Construction, Format, and Management of Monolingual Thesauri (ANSI/NISO Z39.19)**. Leading the development team is **Dr. Amy Warner**, principal of **Lexonomy**. Grants from the **H.W. Wilson Foundation**, **The Getty Foundation**, and the **National Library of Medicine** are supporting this new area of work. News on this activity is featured on the **NISO Website** (www.niso.org). <http://www.niso.org/committees/MT-info.html>

More. **NISO** has announced an initiative to develop guidelines and standards for **metasearching** — also called **cross database searching**, **parallel searching**, **broadcast searching**, and **federated searching**. The initiative is an outgrowth of a session held at the **American Library Association** Midwinter meeting in January. Attendees from a cross section of content providers agreed that metasearching is a high growth area with many unresolved issues. This **NISO** Initiative will identify and address metasearch issues while implementations are still in their early stages. Specific topics to be examined include: Authentication/certification mechanisms and the impact on search target(s); Sorting, ranking, and ordering of search results from multiple sources and multiple protocols; Display of complete content including branding information and copyright notices; Statistics and use measurement. The **Metasearch Initiative** planning committee is co-chaired by **Oliver Pesch** (Ebsco Information Services) and **Pat Stevens** (OCLC, Inc.) Members of the committee include **Paul Cope** (AutoGraphics, Inc.), **Brenda Bailey-Hainer** (Colorado State Library), **Oren Beit-Arie** (ExLibris USA), **Brad Buckley** (Gale Group), **Laurie Davidson** (Innovative Interfaces, Inc.), **Todd Fegan** (ProQuest Information and Learning), **Matt Goldner** (Fretwell-Downing Informatics), **Betsy Graham** (Innovative Interfaces, Inc.), **Sandra Hurd** (Innovative Interfaces, Inc.), **Ted Koppel** (The Library Corporation), **Marc Krellenstein** (Elsevier Science, Inc.), **Peter Noerr** (MuseGlobal, Inc.), **Ted Pastorious** (Gale Group), **Sara Randall** (Endeavor Information Systems, Inc.), **Ed Riding** (Dynix Corp.), and **Jenny Walker** (ExLibris USA). <http://www.niso.org/committees/MetaSearch-info.html>

TDNet and **Harrassowitz** will collaborate to provide complete and consolidated access to electronic content for libraries in the USA and Canada beginning in April, 2003. Through this agreement, **Harrassowitz** will act as agent to supply **TDNet** services in the USA and Canada, making it possible for libraries to manage their electronic resources through one source. In addition, subscription information from e-journals purchased through **Harrassowitz** will automatically be included in a library's **TDNet** services. <http://www.tdnet.com> <http://www.harrassowitz.de>

Guess who's in Charleston these days? The incredibly energetic **Robyn Dudley** <rdudley@hotmail.com>. You'll remember that **Robyn** used to be at **Solinet**. She has recently left **Endeavor**. Until she finds another fulltime position, she is doing some independent contracting/automation consulting for libraries.

Heard from the amazingly splendiferous **Bob Molyneux** <drdata@molyneux.com>. Did you know that there are 3,658 academic libraries in the U.S. (1998) with total expenditures of \$4,592,657,325? <http://www.ncslis.gov/statsurv/summarystats.pdf>

Heard from the glorious **Julia Gelfand** <jgelfand@lib.uci.edu>. She and her whole family are coming to Charleston — I should say Kiawah Island — to celebrate her parents' fiftieth wedding anniversary. Doesn't that sound great?

Speaking of **Bob** and **Julia** (above), they both were at the recent **National Academy of Science Symposium on Electronic Scientific, Technical, and Medical Journal Publishing and its Implications**. The program with many of the powerpoints is loaded for review at <http://www7.nationalacademies.org/cosepup/E-pub%20agenda.html>.

At its **Annual Membership Meeting** in Atlanta in May, **Solinet** member libraries elected the following **Board of Directors** — **Amy Dykeman** (University Librarian, University of North Carolina—Charlotte), **Althea H. Jenkins** (Director of University Libraries, Florida State University), **Pat Matthes** (Director of Library Services, Mississippi University for Women), **Elsie Stephens Weatherington** (Dean of Library and Media Services, Virginia State University).

Lund University Libraries has launched the **Directory of Open Access Journals (DOAJ)**, <http://www.doaj.org>, supported by the **Information Program of the Open Society Institute** (<http://www.osi.hu/infoprogram/>), along with **SPARC** (The Scholarly Publishing and Academic Resources Coalition, (<http://www.arl.org/sparc>)). The directory contains information about 350 open access journals, i.e. quality controlled scientific and scholarly electronic journals that are freely available on the Web. The service will continue to grow as new journals are identified. The goal of the **Directory of Open Access Journals** is to increase the visibility and accessibility of open access scholarly journals, thereby promoting their increased usage and impact. Journals in all languages and subject areas will be included. The database records will be freely available for reuse in other services and can be harvested by using the **OAI-PMH** (<http://www.openarchives.org/>), thus further increasing the visibility of the journals. The further development of **DOAJ** will continue with version 2, which will offer the enhanced feature of allowing the journals to be searched at the article level, and is expected to be available in late fall 2003. If you know a journal that should be included in the directory, use this form to report it: <http://www.doaj.org/suggest>. Information about how to obtain **DOAJ** records for use in a li-

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Interview — Press
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ATG: Do you have partners? Is the business proving to be viable?

RP: I founded the business with **Tim Lloyd** with whom I worked at **Price Waterhouse**. He has extensive experience in business planning in a major telecoms company developing their consumer model for TV and Internet programming. We added some great production and technical people to the team, and then attracted investors including **Bela Hatvany**, the founder of **Silver Platter** and **Ron Rietdyk**, who started up the U.S. office, so we have a secure financial base. The business has received a tremendous reception at both the **ALA** and **MLA** conventions, and the signs are that it is the right time to launch a listening service for libraries.

ATG: When I first saw your booth, I thought you were selling classical "muzak." This isn't the case, right? What exactly are you selling?

RP: The music is accessed by the individual library patron via computers in the library, or a home PC, using headphones or speakers. We are selling a music service that works at various levels, depending on the user. For those who do not know too much about classical music but wish to get involved, we have preset playlists, like "Music for Relaxation" or introductions to the greatest works of the composers. Users can then read about the music and composers, and go on to enjoy further related music in an enjoyable way. Users with some knowledge of classical music can browse the various genres, e.g., "Orchestral music of the Romantic period." Expert users can search and find the specific piece of music they want to hear — then listen with a click. So we present the music in a way that appeals to users of school, public and academic libraries.

ATG: What kinds of libraries are buying your product? Is it largely academic libraries? Are you marketing your product internationally?

RP: We expected public libraries to be the main market, but have been pleasantly surprised by the interest from academic libraries as well. The school market is also interested, because teachers can easily assemble playlists and prepare their teaching materials. So the market is developing well in these areas, and interest is building in the "rest of the world" outside the U.S.A., including Scandinavia, Europe and SE Asia.

ATG: How do you go about deciding what recordings to make available? Tell us about the permissions process. How is it different in other venues?

RP: We select recordings of works in the **MLA** list of recommendations for small, medium and large libraries. Increasingly the independent labels are keen to license recordings for our music service, because it is a new channel to an important market. The major record companies are also in discussion with us, and we expect to announce exciting license deals, including some of great artists, in the near future. The process of clearing the music is very complex, but it is an area of expertise we have developed, and enables us to access some of the world's greatest recordings.

ATG: Given all the changes in the music industry and the loss of revenues because of the "napstering" of music, what is your prognostication for the future?

RP: The only good thing about the "napstering" of music is that tens of millions of people were taught that the Internet can deliver music in a compelling way, and became "literate" in this way of listening to and obtaining music. We are a totally legal, fully licensed music service, with a comprehensive and growing range of classical recordings. We believe in the approach started at **EMI** — that it is important to make music easier to pay for than to steal! We believe that our music service for libraries is compelling, and will encourage the fully licensed enjoyment of the music.

ATG: Also, you can include a company profile if you would like — something about **Classical.com** — when started, number of people who work there, location(s), anything else you want to add.

RP: **Classical.com** is currently a dozen people. Having been founded in **London**, we opened a U.S. office in **New York** last year, and our marketing and sales are run out of the U.S. office, which will increasingly become the public face of the company. We work with a range of distributors in different territories to supplement our own sales effort. In addition, our main focus is to ensure that the "product" is right for the library market, which is our total focus. You will be seeing some exciting ways in which the database is improved in the coming months — both in the amount of repertoire available, and in the layout of the service.

Rumors
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brary catalog or other service can be found at: <http://www.doaj.org/articles/questions/#metadata>.

From **Liblicense** and **NFAIS'** **Noteworthy** <http://www.nfaeis.org/Noteworthy.asp> — **The New York Times** has reported (5/22/03) that the **Art Museum Image Consortium**

(**AMICO**) and **ARTStor** will be merged later this year under the direction of **ARTStor**. **ARTStor** is funded by the **Mellon Foundation** which, according to the article, has paid out in excess of \$13 million in support of the initiative and associated digitization projects. "Far-Flung Artworks, Side by Side Online" by **Matthew Mirapaul**. <http://www.nytimes.com/2003/05/22/technology/circuits/22muse.html?8cir>.

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Latin American Studies
An Annotated Bibliography

Ana María Cobos and Ana Lya Sater.
2002, \$49.50 softcover, index,
0-7864-1256-9.

Library Services to Latinos

Edited by Salvador Güereña. 2000, \$45
softcover, notes, bibliography, index,
0-7864-0911-8.

Women in the Civil War
Soldiers, Spies, Nurses, Doctors,
Crusaders, and Others

Larry G. Eggleston. 2003, \$35 hardcover,
photos, bibliography, index, 0-7864-1493-6.

Edward A. Wild
and the African Brigade
in the Civil War

Frances H. Casstevens. 2003, \$49.95
hardcover, photos & illustrations, maps,
chronology, notes, bibliography, index,
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Legally Speaking from page 72

Since the primary purpose of this statute at the time it was enacted was intended to prevent fraud in the formation of contracts, the law became known as the "Statute of Frauds."¹³

The Statute of Frauds was passed by Parliament in 1677. According to Parliament, "some agreements are deemed of so important a nature, that they ought not to rest in verbal promise only, which cannot be proved but by the memory (which sometimes will induce the perjury) of witnesses."¹⁴ The Statute of Frauds was one of the most important laws ever passed by Parliament. As a result, this law has been passed in almost all Common Law jurisdictions. In general, the kinds of contracts that are subject to this rule include:

- Contracts for the sale of land.¹⁵
- A contract that can't be performed within one year or a contract that is greater than one year in duration. This includes contracts for employment and contracts for personal services.¹⁶ However, a contract for at-will employment, where either party can terminate the relationship at any time, is not subject to the Statute of Frauds because it has the potential of being completed in less than one year.¹⁷
- Contracts for the sale of goods or securities worth more than a specific amount. In 1677, this amount was 10 pounds sterling. The Uniform Commercial Code and many states are currently requiring written contracts for the sale of goods over \$500.¹⁸
- Contracts in which one of the parties is agreeing to be responsible for someone else's debt, both when the party is acting as a surety (a person who guarantees a debt) and when the promise is made by an executor to pay a debt from an estate.¹⁹

Technically speaking, the Statute of Frauds is not a requirement for the formation of a contract; rather, it is a requirement for certain contracts to be enforced. "There are certain situations in which a promise that is not in writing can be denied enforcement. In such situations, an otherwise valid contract can be unenforceable if it does not comply with the formalities required by the Statute of Frauds."²⁰ If you want to enforce your contract, you will need to comply with the provisions of this law.

The two ways in which publishers, book distributors, and libraries are most affected by the Statute of Frauds are employment contracts and contracts for the sale of goods. This means that if you sell books that total over \$500, you need to put the agreement in writing. The Uniform Commercial Code specifies that: "[A] contract for the sale of goods for the price of \$500 or more is not enforceable. . . unless there is some writing sufficient to indicate that a contract for sale has been made between the parties and signed by the party against whom enforcement is sought or by his authorized agent or broker. A writing is not insufficient because it omits or incorrectly states a term agreed upon but the contract is not enforceable under this paragraph

beyond the quantity of goods shown in such writing."²¹

When writing a contract for the sale of land or of goods (or securities) over \$500, always put it in writing. Similarly, if the contract is not capable of being performed within one year (including employment contracts), put it in writing. Finally, any agreement to assume the debt of another person must always be in writing. Although other kinds of contracts don't need to be written, remember always that "prudence is the better part of valor."

Conclusion

In order to form a contract, you must have consideration. You also need to pay attention to the Statute of Frauds in order to determine whether the contract needs to be in writing.

Consideration involves the promisee, the person receiving the promise, giving up something of legal value that he or she is not obligated to give up, or providing a benefit to the promisor, the person who has given the promise. Consideration can involve paying money, providing goods or services, or even agreeing not to do something. A promise to provide a future benefit is still considered valid consideration provided the person has the right to make the promise and the promise is not illegal. The consideration in the contract is the bargain that has been negotiated. Each party must provide consideration in order for the contract to be valid.

Although contracts are not required to be in writing in order to be valid, many types of contracts are required to be in writing in order to be enforced. This legal provision is called the Statute of Frauds. Agreements that must be written include a contract for the sale of land, contracts for the sale of goods (or securities) over \$500, a contract that can't be performed within one year, and an agreement to assume the debt of another person. This law is for the protection of both parties.

You must have consideration in your contract, and some contracts must be in writing, so you should always keep these two items in mind. I especially recommend that whenever possible contracts be placed in writing. The basic thing to remember with contracts is that the old saying is still true: "an oral contract is worth the paper it is written on."

Endnotes

1. 17A Am Jur 2d *contracts* §113; quoting *Becker v. Colonial Life Ins. Co.*, 153 App. Div. 382, 138 N.Y.S. 491.
2. Gordon D. Schaber and Claude D. Rohwer, *CONTRACTS IN A NUTSHELL* 75 (St. Paul, MN: West Publishing Co., 1990).
3. "Consideration," 8A Words and Phrases 236; quoting *Williams Mfg. Co. v. Prock*, 86 F. Supp. 447, 448 (D.C. Texas).
4. "Consideration," 8A Words and Phrases 236; quoting *Smaller War Plants Corp. v. Queen City Lumber Co.*, 27 So.2d 531, 535, 200 Miss. 627.
5. Laurence P. Simpson, *HANDBOOK ON THE LAW OF CONTRACTS* 87 (St. Paul, MN: West Publishing Co., 1954).
6. Federal Reserve Bank of Minneapolis, *What's a Dollar Worth?* (Based on Cost of Living Index by Albert Rees). Available at <http://minneapolisfed.org/Research/data/us/calc/hist1800.cfm>.
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12. Charles G. Bakaly, Jr., and Joel M. Grossman, *Modern Law of Employment Contracts: Formation, Operation, and Remedies for Breach*, §3.2. New York: Law & Business, Inc., Harcourt Brace Jovanovich, 1983.
13. Rinke-Noonan, Ltd. "Law for Laymen," available online at <http://www.rnoon.com/lawlaymen/contracts/writing.html>.
14. Lloyd Rain, "The Statute of Frauds: Its Origins, Its Persistence, and Its Potential Demise!," *Purchasing Link*, Nov. 2002. Available online at http://www.naeb.org/Purchasing_Link/Commentaries/Nov2002_LR_Commentary.htm.
15. *id.*
16. Charles G. Bakaly, Jr., and Joel M. Grossman, *Modern Law of Employment Contracts: Formation, Operation, and Remedies for Breach*, §5.2. New York: Law & Business, Inc., Harcourt Brace Jovanovich, 1983.
17. *Id.* at §5.3
18. Rain.
19. *id.*
20. Jane Mallor, *Business Law and the Regulatory Environment*, p. 456. Boston: Irwin/McGraw-Hill, 2001. Available online at <http://www.csun.edu/~bz51361/gateway/statute.frauds.pdf>.
21. "Form, Formation and Readjustment of Contract," Uniform Commercial Code, Article 2 (Sales), Part 2. Available online at <http://www.law.cornell.edu/ucc/2/2-201.html>.

Rumors from page 63

And — in case you don't notice — this issue of *ATG* is the biggest ever — 112 pages! You needed some summer reading, right?

Read "Visions: The Academic Library in 2012" by James W. Marcum (University Librarian, Fairleigh Dickinson University), *D-Lib Magazine* (May 2003, volume 9, num-

ber 5). In the fall of 2002, the New Jersey ACRL and Fairleigh Dickinson University Libraries initiated a search for "fresh thinking about the future" by organizing an essay contest with the topic "The Academic Library in 2012." "Cybrarians in InfoSpace" was the theme of the winning essay, submitted by library school professors Tom Surprenant and Claudia Perry (Queens College). Some food for thought — "Communicating through Vir-

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Webworthy from page 108

at the **University of New South Wales**, set up the site to gather latest information for researchers who work with **Archaea** and other extremophiles. Browse the latest publications and articles, search one Coldbase or the protein or enzyme database, read about the application of extremophile research to exobiology (is there life on the Jovian moon Europa?), or learn about **Lake Vostok** which is completely sealed off from the surface and a potential source of many new discoveries. — <http://www.archaea.unsw.edu.au/>.

Pollution

Animals produce almost two TRILLION pounds of waste every year, much of it from "factory farms." Although **Environmental Defense** clearly has a green agenda, their **Scorecard** Website provides a wealth of information on the presence, health effects and uses of more than 6900 chemicals of varying toxicity found in our bodies. Learn if your county is among those that have the highest release of Dioxin and find out who is releasing what pollutants in your community. — <http://www.scorecard.org/>.

Science

"E-government in action," **Science.gov**, a collaborative effort by 14 separate government agencies hosted by the **Department of Energy**, offers a "unique ability to search across the content within databases as well as across Websites." The site brings together all science related content on ten government science agency Websites for everyone from children to professional scientists. Content is selective rather than automatically cumulative, and considered authoritative. — <http://www.science.gov/>.

Rumors

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tual Reality helmets and **V-mail**, and utilizing diagnostic tools to customize resources to individual profiles, 'cybrarians' will provide effective support for problem solving and discovery groups." <http://www.dlib.org/dlib/may03/marcum/05marcum.html>.

And, one last thing. As we go to press, have received word that **Rosann Bazirjian's** issue of **ATG** (April, Retention of Print) got prominent mention in the **University of California, Berkeley's Current Cites** (volume 14, no. 5, May 2003) edited by **Roy Tennant**. Mentioned specifically was **John McDonald's** "No One Uses Them So Why Should We Keep Them?" — Scenarios for Print Issue Retention" (**ATG** v.15#2, p. 22, 24). Says **Charles W. Bailey, Jr.** — "Print retention is one of the most significant long-term decisions that any library can make. It is especially critical for academic and re-

Back Talk from page 110

- Regular church services where I attend have now been cancelled for four weeks running.
- When my wife and I went to the movies the other night we got free face masks with our expensive popcorn.
- A 14 year old computer hacker put up a fake newspaper page saying that because truckers were infected there wouldn't be any more food deliveries — the shelves were cleared fairly quickly in some areas.
- Air travel, irrespective of the industry's assurances that the filtered air on a plane is cleaner than on a city street, is way down. Moreover, in addition to careful body and baggage searches, airport staff now check each person's temperature before they can be cleared to board a flight. There are jokes about people resorting to carrying frozen chickens in their brief cases to make sure they can cool down and make their flights. (if you do this, please precook your chicken)
- However, a good cough or sneeze (perish the thought) both clears a crowded room and gets you a seat on the subway/bus.

So, what are the epidemic questions/issues with which you should be wrestling? Here are some that occur to me:

1. How will you continue to get your administrative work done when meetings become more of a danger to good health than usual? Battling an epidemic, in addition to all the regular work of a library, needs leadership. Meetings will have to be held, but how?

search libraries. McDonald's article and the other articles in this special issue help initiate what I hope will be a long, careful, and thoughtful debate on a topic of considerable social significance." I couldn't agree more. <http://sunsite.berkeley.edu/CurrentCites/2003/cc03.14.5.html>.

**It's Time To Register For The
23rd Annual
Charleston Conference**
This year's registration form is
included with your copy
of *Against the Grain*.
Fill it Out and Mail it in Today!
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www.katina.info/conference

2. Will face masks be required, recommended? For staff, for patrons?
3. If face masks are required, how many should be purchased now and where can you buy more?
4. What are the liability issues for libraries if a patron claims they contracted the disease while using a public terminal?
5. Does your library have a travel policy that gives guidance about what kinds of trips should or should not be taken after the epidemic hits? You will find that just because your library is experiencing the epidemic, others won't see it necessary to cancel meetings — although they may quietly un-invite you.
6. Are there sufficient hand towel and liquid hand soap supplies on hand once hundreds of patrons want to wash and dry their hands multiple times a day?
7. Do you have sufficient staff to wipe down all surfaces touched by patrons with a disinfectant every 3 or so hours daily? Do you have sufficient supplies of disposable wiping cloths and disinfectant on hand?
8. Are your staff policies concerning what constitutes an approved illness/reason clear and known?
9. Does your university have an emergency response team with medical staff on it? Does the team have access to a Web master who can provide easy to find and understand information about what the university is doing to combat the disease?
10. Does your library, computer center, IT and learning group all have a Web page that details the resources available to teachers who will find that they need alternative ways of contacting their students, conducting discussions, administering tests/exams, etc., linked to the emergency response team's Web page? Is there a link from this page to the library's electronic resources? Does your university have a rigorous video taping program to handle all the requests for taping lectures? Can your library terminals handle streaming video?
11. Does every teacher have a current list of student email addresses? Is your campus using WebCT or some other learning platform that will become a critical element in continuing to teach and learn?
12. Do students realize that teachers will use/have a right to use email to contact them in an emergency? Some students here have seen it as an intrusion.

I am sure once this is over — if ever — that lots of other ideas will occur to me. But for now, stay healthy and hope that better diagnosis and treatment options will be discovered before SARS visits your campus.