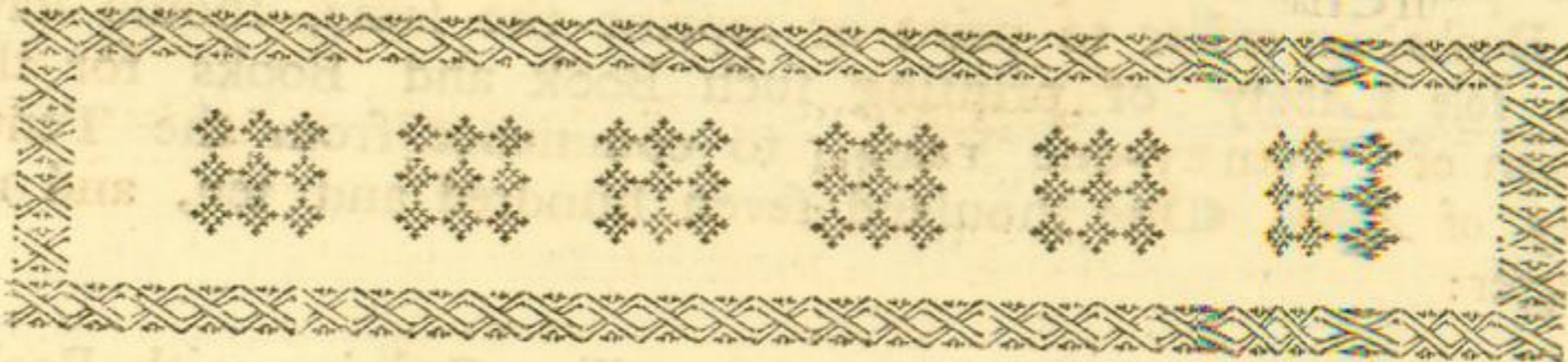


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A N

A C T

F O R

Relief of Booksellers and others, by vesting the Copies of Printed Books in the Purchasers of such Copies from Authors, or their Assigns, for a limited Time.



WHEREAS by an Act made and passed in the Eighth Year of the Reign of Her late Majesty Queen Anne, intituled, "An Act for the Encouragement of Learning, by vesting the Copies of Printed Books in the Authors or Purchasers of such Copies during the Times therein mentioned," it was (amongst other Things) enacted, that from and after the Tenth Day of April, One thousand seven hundred and ten, the Authors of any Book or Books then printed, who had not transferred to any other the Copy or Copies of such

Preamble

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Books,

Books, Share or Shares thereof, or the Bookfeller or Bookfellers, Printer or Printers, or other Person or Persons, who had purchased or acquired the Copy or Copies of any Book or Books in order to print or reprint the same, should have the sole Liberty of printing such Book and Books for the Term of Twenty-one Years, to commence from the Tenth Day of *April*, One thousand seven hundred and ten, and no longer:

And whereas it hath been a prevailing Opinion with Bookfellers and others, that Authors and their Assigns had by the Common Law, independantly of the said Act of Queen *Anne*, the sole Right of printing and reprinting Copies of their Works; and that the said Act was not intended to take away or abridge any such Right; and in consequence of this Opinion, many of them have from time to time invested the Whole, or the greatest Part, of their Fortunes in the Purchase of such Copy Rights, on which the Support of them and their Families at this Time doth in a great Measure depend:

And whereas it hath lately been adjudged in the House of Lords, that no such Copy Right in Authors or their Assigns doth exist at Common Law; in consequence whereof Purchasers of such Copy Rights must be great Sufferers by their Misapprehension of the Law in respect thereof, and many of them likely to be involved in Ruin, unless they shall obtain the Aid and Assistance of Parliament:

May it therefore please Your most Excellent MAJESTY,

That it may be **Enacted**, and be it **Enacted** by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fourth Day of *June* One thousand seven hundred and seventy-four, every Author of any Book or Books already printed and published, who hath not transferred to any other the Copy Right of such Book or Books, or Share or Shares thereof, and his Executors, Administrators, and Assigns, or the Person or Persons, Bodies Politic or Corporate, who hath or have purchased, or otherwise acquired the Whole Interest of the Author in the Copy Right of any such Book or Books, or any Share or Shares thereof, from the Author or Authors

Property of
Books vested
in the Au-
thors, their
Executors,
Administra-
tors and As-
signs, for 14
Years from
the 4th of
June 1774.

Authors of the same, or his, her, or their respective Executors, Administrators, or Assigns, in order to print or reprint the same, and the Executors, Administrators, and Assigns of such Purchaser or Purchasers respectively, shall have the sole and exclusive Right and Liberty of printing such Book or Books for the Term of Fourteen Years to commence from the said Fourth Day of *June*, and no longer; and that if any other Bookseller, Printer, or Person whatsoever, from and after the said Fourth Day of *June*, within the Time granted and limited by this Act as aforesaid, shall print, reprint, or import, or cause to be printed, reprinted, or imported any such Book or Books, without the Consent of the Proprietor or Proprietors thereof respectively first had and obtained in Writing, signed in the Presence of Two or more credible Witnesses, or, knowing the same to be so printed or reprinted without the Consent of the Proprietor or Proprietors thereof respectively, shall sell, publish, or expose to Sale, or cause to be sold, published, or exposed to Sale any such Book or Books without such Consent first had and obtained as aforesaid, then such Offender or Offenders shall forfeit such Book or Books, and all and every Sheet and Sheets being Part of such Book or Books, to the Proprietor or Proprietors of the Copy Right thereof respectively, who shall forthwith damask and make Waste Paper of the same; and further, that all and every such Offender and Offenders as aforesaid, shall forfeit Ten Pounds for every Book which shall be found in his, her, or their Custody, either printed or printing, published, or exposed to Sale contrary to the true Intent and Meaning of this Act; One Moiety thereof to the King's most Excellent Majesty, His Heirs and Successors, and the other Moiety thereof to any Person or Persons that shall sue for the same; to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Complaint, or Information, in which no Wager of Law, Essoign, Privilege, or Protection, or more than One Imparlanche shall be allowed.

And whereas many Persons may through Ignorance offend against this Act, unless some Provision be made, whereby the Property in every such Book as is intended by this Act to be secured to the Proprietor or Proprietors thereof may be ascertained and known, be it therefore further Enacted by the Authority aforesaid, That nothing in this Act contained shall be construed to extend to subject any Bookseller, Printer, or other Person whatsoever to the Forfeitures or Penalties herein mentioned, for or by reason of the Printing or Reprinting any Book or Books without such Consent as aforesaid, unless the

Title

Penalty on
Persons pub-
lishing any
Books, not
having the
Property vest-
ed in them.

No Person
liable to the
Penalty un-
less the Title
of the Book
be entered
with the
Company of
Stationers,
before the
29th of Sep-
tember 1774.

Title to the Copy of such Book or Books shall, on or before the Twenty-ninth Day of *September*, One thousand seven hundred and seventy-four, be entered into the Register-Book of the Company of *Stationers* kept for that Purpose, in such Manner as hath been usual; for every of which several Entries so to be made as aforesaid, the Sum of Two Shillings and Sixpence shall be paid, and no more; which said Register-Book may at all seasonable and convenient Times be referred to and inspected by any Bookseller, Printer, or other Persons for the Purposes before mentioned, without any Fee or Reward; and the Clerk of the said Company of *Stationers* shall, when and as often as thereunto required, give a Certificate under his Hand of such Entry or Entries, and for every such Certificate may take a Fee, not exceeding Sixpence.

If the Clerk to the said Company refuse or neglect to make such Entry, and Notice thereof given in the London Gazette, then the Proprietors to have the like Benefit as if the Entries had been made, and the Clerk to forfeit 20l.

And be it further Enacted, That if the Clerk of the said Company of *Stationers* for the time being shall refuse or neglect to register or make such Entry or Entries, or to give such Certificate, being thereunto required by the Proprietor of such Copy or Copies in the Presence of Two or more credible Witnesses; then such Proprietor (Notice being first duly given of such Refusal by an Advertisement in the *Gazette*) shall have the like Benefit as if such Entry or Entries, Certificate or Certificates had been duly made and given; and the Clerk so refusing shall for every such Offence forfeit to the Proprietor or Proprietors of such Copy or Copies the Sum of Twenty Pounds, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Complaint, or Information, in which no Wager of Law, Essoign, Privilege, Protection, or more than One Imparlance shall be allowed.

Ten Copies of every Book that after the 4th Day of June shall be published, to be delivered to Warehouse Keeper of the Company of *Stationers*, for the Use of certain Libraries.

Provided always, and it is hereby Enacted, That Ten Copies, upon the best Paper, of every Book, Volume or Volumes that, from and after the Fourth Day of *June*, One thousand seven hundred and seventy-four, shall be reprinted and published under this Act, and which shall not have been entered, and of which a Copy or Copies shall not have been given before, shall, by the Proprietor, Bookseller, or Printer or Printers thereof, be delivered to the Warehouse Keeper of the said Company of *Stationers* for the time being, at the Hall of the said Company, before such Publication made, for the Use of the Royal Library, the Libraries of the Universities of *Oxford* and *Cambridge*, the Library of the *British Museum*, the Libraries of the Four Universities of *Scotland*, the Library of *Sion College* in *London*, and the Library commonly called, *The Library belonging to the Faculty*

Faculty of Advocates at Edinburgh, respectively; which said Warehouse Keeper is hereby required, to receive the same into the Warehouse of the said Company, and within Seven Days after such Delivery to give Notice in Writing of the Title, and Delivery of such Book, Volume or Volumes, to the several Agents of the Keepers of the said several Libraries respectively, in case there shall be any such Agents resident within the Bills of Mortality, whose Appointment and Place of Abode hath been notified to the said Warehouse Keeper; and also within Ten Days after Demand by the Keepers of the said respective Libraries, or any Person or Persons by them or any of them authorized to demand such Copies, to deliver the same for the Use of the aforesaid Libraries respectively; and if any Proprietor, Book-feller, or Printer, or the Warehouse Keeper of the said Company of *Stationers* for the time being, shall not observe the Direction of this Act therein, that then he or they so making Default in delivering the said printed Copies as aforesaid, shall forfeit the Sum of Five Pounds for every Copy not so delivered, and also the Value of the said Printed Copies not so delivered; the same to be recovered by the King's Majesty, His Heirs and Successors, and by the Chancellor, Masters, and Scholars of any of the said Universities, and by the Principal of the *British Museum*, and by the President and Fellows of *Sion College*, and the said Faculty of Advocates at *Edinburgh*, with their Full Costs respectively.

Provided also, and be it further Enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person or Persons from selling such Impressions or Copies of any Book or Books as shall have been actually printed and published before the Passing of this Act, and might have been lawfully sold by such Person or Persons in case this Act had not been made; and also, that nothing herein contained shall extend or be construed to deprive any Author or Authors, who shall not before the Passing of this Act have sold, or for a valuable Consideration disposed of, or by Writing shall have given his, her, or their whole Right or Interest in or to the Copy or Copies of any Book or Books so printed and published as aforesaid, to the Printers or Publishers thereof respectively, of any Right or Interest in or to such Copy or Copies, or the sole and exclusive Power of reprinting and publishing the same, which he, she, or they had or was or were intitled to before the Passing of this Act, or might or ought to have had and enjoyed in case this Act had not been made.

The Act not to prevent Persons from selling Books already printed, and which might have been lawfully sold by such Persons if the Act had not passed; nor to deprive Authors of the Right they had before passing the Act.

And

Limitation of Actions.

And be it further Enacted by the Authority aforesaid, That if any Action or Suit shall be commenced or brought against any Person or Persons whatsoever for doing or causing to be done any Thing in pursuance of this Act, the Defendants in such Action may plead the General Issue, and give the Special Matter in Evidence; and if upon such Action a Verdict be given for the Defendant, or the Plaintiff become Nonsuited, and discontinue his Action, then the Defendant shall have and recover his Full Costs, for which he shall have the same Remedy as a Defendant in any Case by Law hath.

Saving the Right of the English and Scotch Universities.

Provided always, and be it further Enacted, That nothing in this Act contained shall extend, or be construed to extend to prejudice any Right, that the Universities of Oxford and Cambridge in that Part of Great Britain called England, or the Four Universities in that Part of Great Britain called Scotland, or any of them, have or claim to have to the Printing or Reprinting of any Book or Books already printed, or hereafter to be printed.

Penalties incurred in Scotland, to be recovered there.

Provided always, and be it further Enacted, That if any Person or Persons shall incur any of the Penalties contained in this Act in that Part of this Kingdom called Scotland, the Penalty or Penalties, in any such Case, shall be recoverable by any Action before the Court of Sessions in Scotland.

Publick Act.

And be it further Enacted by the Authority aforesaid, That this Act shall be adjudged, deemed, and taken to be a publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.



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Relief of Bookfellers and others, by vesting the Copies of Printed Books in the Purchasers of such Copies from Authors, or their Assigns, for a limited Time.

[1774.]