

7 June 1814.

68



A

B I L L

[AS AMENDED ON RE-COMMITMENT]

To amend the several Acts for the Encouragement of Learning, by securing the Copies and Copyright of printed Books, to the Authors of such Books, or their Assigns.

Note—*The Figures in the Margin denote the number of the Folios in the written Copy.*

N. B.—*The Clauses marked (A. B. C. & D.) were added by the Committee; and those marked (N° 1. & N° 2.) were added on the Re-commitment.*

1 **W**HEREAS by an Act, made in the Eighth year of the
 2 **W** 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, among other things
 provided and enacted, “That Nine Copies of each Book or Books, upon
 the best Paper, that from and after the Tenth day of April one thousand
 seven hundred and ten should be printed and published as in the said
 Act mentioned; or reprinted and published with Additions, should, by
 the Printer and Printers thereof, be delivered to the Warehousekeeper of
 the 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 Libraries
 of the Four Universities in *Scotland*, the Library of *Sion College* in
London, and the Library of the Faculty of Advocates at *Edinburgh*;
 which said Warehousekeeper is by the said Act required to deliver such
 Copies for the use of the said Libraries; and that if any Proprietor,
 Bookseller or Printer, or the said Warehousekeeper, should not observe
 the directions of the said Act therein, that then he or they so making
 default in not delivering the said printed Copies, should forfeit, besides the
 value of the said printed Copies, the Sum of Five Pounds for every Copy
 not so delivered:”

Preamble re-
cites 8 *Anne*,
c. 19. § 5.;
Requiring the
delivery to the
Stationers
Company, for
the use of cer-
tain Public
Libraries in
England and
Scotland, of
Nine Copies
of Books
printed and
publithed,
as therein
mentioned.

214.

A

And

41 Geo. III.
(U.K.) c. 107.
§ 6;

requiring the
delivery of
Two Copies
for the use of
Public Libra-
ries in Dublin,
of Books
entered at
Stationers
Hall.

And whereas by an Act made in the Forty-first year of the Reign of His present Majesty, intituled, " An Act for the further Encouragement of Learning in the United Kingdom of Great Britain and Ireland, by securing the Copies and Copyright of printed Books to the Authors of such Books, or their Assigns, for the time herein mentioned," it is, amongst other things, provided and enacted, " That, in addition to the Nine Copies required by Law to be delivered to the Warehousekeeper of the said Company of Stationers, of each and every Book and Books which shall be entered in the Register Books of the said Company, Two other Copies shall in like manner be delivered, for the use of the Library of the College of the Holy Trinity, and the Library of the Society of the King's Inns, in Dublin, by the Printer and Printers of all and every such Book and Books as should thereafter be printed and published, and the Title to the Copyright whereof should be entered in the said Register Book of the said Company : "

3

And whereas the said Laws, if acted on to their full extent, as ascertained by the late decision in His Majesty's Court of King's Bench, would occasion great expense and inconvenience to the Authors or Proprietors of Books, without producing any adequate encouragement to Learning :

AND whereas it is expedient that Copies of Books hereafter first printed or published, should be delivered to the Libraries hereinafter mentioned, with the Modifications that shall be provided by this Act;

4

May it therefore please Your MAJESTY,

Provisions of
recited Acts,
as to deliver-
ing Copies to
Public Libra-
ries, Repealed.

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 so much of the said several recited Acts of the Eighth year of Queen Anne, and of the Forty-first year of His present Majesty, as requires that any Copy or Copies of any Book or Books which shall be printed or published, or reprinted and published with Additions, shall be delivered by the Printer or Printers thereof to the Warehousekeeper of the said Company of Stationers, for the use of any of the Libraries in the said Act mentioned, and as requires the delivery of the said Copies by the said Warehousekeeper for the use of the said Libraries, and as imposes any Penalty on such Printer, or Warehousekeeper, for not delivering the said Copies, shall be and the same is hereby Repealed.

5

6

Eleven
printed Copies
shall be deli-
vered on de-
mand within
Six Months
after Publica-
tion, for the
use of the
following
Libraries;
British Mu-
seum, &c.

And be it further Enacted, That Eleven printed Copies of the whole of every Book and of every Volume thereof, upon the Paper upon which the largest number or impression of such Book shall be printed for Sale, together with all Maps and Prints belonging thereto, which, from and after the passing of this Act, shall be first printed and published, on demand thereof being made in writing to the Publisher or Publishers of :

689

of such Book at any time within Six Months next after the publication thereof, under the hand of the Librarian or other Person or Persons thereto authorized, and on such Payment being made as hereinafter mentioned, on behalf of the Libraries following; that is to say, *The British Museum, Sion College, The Bodleian Library at Oxford, The Public Library at Cambridge, The University Library, and The Library of the Faculty of Advocates at Edinburgh, The University Libraries at Glasgow and Saint Andrews and Aberdeen in Scotland, Trinity College Library, and The King's Inns Library at Dublin*, shall be delivered by the Publisher or Publishers thereof (within One Month after demand made thereof in writing as aforesaid) to the Warehousekeeper of the said Company of Stationers for the time being, at the Hall of the said Company, for the use of the Library on whose behalf such demand shall be made, within such Six Months as aforesaid; and the said Warehousekeeper is hereby required, within One Month after any such Book shall be so delivered to him as aforesaid, to deliver the same, for the use of such Library: And if any Publisher, or the Warehousekeeper of the said Company of Stationers, shall not observe the directions of this Act therein, that then he and they so making default in not delivering the said Eleven printed Copies as aforesaid, shall forfeit, besides the value of the said printed Copies, the sum of Five Pounds for each Copy not so delivered; the same to be recovered by the Person or Persons, or Body Politic or Corporate, who are by Law authorized to sue in behalf of such Library.

Provided always, and be it further Enacted, That no such printed Copy or Copies shall be demanded by or delivered to or for the use of any of the Libraries hereinbefore mentioned, of the second Edition, or of any subsequent Edition of any such Book or Books, unless the same shall contain additions: And in case any Edition after the first of any such Book shall contain any Addition, Alteration or Corrections, no printed Copy or Copies thereof shall be demanded or delivered as aforesaid, if a printed Copy of such Additions, Alterations or Corrections only, printed in an uniform manner with the first Edition of such Book, be delivered to each of the Libraries aforesaid, for whose use a Copy of the first Edition shall have been demanded or delivered as aforesaid: Provided also, That the Copy that shall be demanded by *The British Museum*, shall be delivered of the best paper on which such work shall be printed.

No Copies of a Second or subsequent Edition to be demanded;

Additions to be printed, and delivered separate.

AND whereas by the said recited Acts of the Eighth year of Queen *Anne*, and the Forty-first year of His present Majesty's Reign, it is enacted, "That the Author of any Book or Books, and the Assignee or Assigns of such Author respectively, should have the sole liberty of printing and reprinting such Book or Books for the term of Fourteen Years, to commence from the day of first publishing the same, and no longer; and it was provided, that after the expiration of the said term of Fourteen Years, the right of printing or disposing of Copies should return to the Authors thereof, if they were then living, for another Term of Fourteen Years:" AND WHEREAS it will afford further Encouragement to

8 *Anne*, c. 19, § 1—12.
41 *G. III.* c. 107. § 1.
Instead of Copyright for Fourteen Years, and contingently for Fourteen more, as under former Acts;

Authors and their Assigns shall have Twenty-eight Years Copyright, absolute, in their Works.

41 G. III. c. 147. § 1. Booksellers, &c. in any part of the United Kingdom, or British Dominions, who shall print, reprint, or import, &c. any such Book, without consent of the Proprietor, shall be liable to an Action for Damages, and shall also forfeit the Books to the Proprietor, and Three Pence per Sheet, half to the King, and half to the Informer.

Double Costs.

Literature, if the duration of such Copyright were extended in manner hereinafter mentioned; BE it further Enacted, That from and after the passing of this Act, the Author of any Book or Books composed and not printed and published, or which shall hereafter be composed, and be printed and published, and his Assignee or Assigns, shall have the sole liberty of printing and reprinting such Book or Books for the full term of Twenty-eight Years, to commence from the day of first publishing the same, and no longer: And that if any Bookseller or Printer, or other Person whatsoever, in any part of the United Kingdom of *Great Britain and Ireland*, in the Isles of *Man, Jersey or Guernsey*, or in any other part of the British Dominions, shall, from and after 11 the passing of this Act, within the Terms and Times granted and limited by this Act as aforesaid, print, reprint or import, or shall cause to be printed, reprinted or imported, any such Book or Books, without the consent of the Author or Authors, or other Proprietor or Proprietors of the Copyright of and in such Book and Books, first had and obtained in writing; or, knowing the same to be so printed, reprinted or imported, without such consent of such Author or Authors; or other Proprietor or Proprietors, shall sell, publish or expose to Sale, or cause to be sold, published or exposed to Sale, or shall have in his or their possession for Sale, any such Book or Books, without such consent first had and obtained as aforesaid, then 12 such Offender or Offenders shall be liable to a Special Action on the Case, at the Suit of the Author or Authors, or other Proprietor or Proprietors of the Copyright of such Book or Books so unlawfully printed, reprinted or imported; or published or exposed to Sale, or being in the possession of such Offender or Offenders for Sale as aforesaid, contrary to the true intent and meaning of this Act: And every such Author or Authors, or other Proprietor or Proprietors, shall and may, by and in such special Action upon the Case, to be so brought against such Offender or Offenders, in any Court of Record in that part of the said United Kingdom, or of the British Dominions, in which the offence shall be committed, recover such Damages as the Jury 13 thereon, shall give or assess; together with Double Costs of Suit; in which Action no Wager of Law, Essoign, Privilege or Protection, nor more than one Imparlance, shall be allowed; and all and every such Offender and Offenders shall also forfeit such Book or Books, and all and every Sheet being part of such Book or Books, and shall deliver the same to the Author or Authors, or other Proprietor or Proprietors of the Copyright of such Book or Books, upon order of any Court of Record in which any Action or Suit in Law or Equity shall be commenced or prosecuted by such Author or Authors, or other Proprietor or Proprietors, to be made on Motion or Petition to the said Court; and the said Author or Authors, or other Proprietor or Proprietors shall forthwith damask or make Waste Paper of the said Book or Books and Sheet or Sheets; and all and every such Offender and Offenders shall also forfeit 14 the sum of Three-pence for every Sheet thereof, either printed or printing, or published or exposed to Sale, contrary to the true intent and meaning of this Act; the one Moiety thereof to the KING's most Excellent Majesty,

His

685

His Heirs and Succssors, and the other Moiety thereof to any Person or Persons who shall sue for the same, in any such Court of Record, by Action of Debt, Bill, Plaint or Information, in which no Wager of Law, Essoign, Privilege or Protection, nor more than one Imparlance, shall be allowed.

AND in order to ascertain what Books shall be from time to time published, BE it Enacted, That the Publisher or Publishers of any and every Book which shall be first published at any time after the passing of this Act, shall, within One calendar Month after the day on which any such Book or Books respectively shall be sold, published or advertised for sale, within the Bills of Mortality, or within Three calendar Months if the said Book shall be sold, published or advertised in any other part of *The United Kingdom*, enter the Title to the Copy of every such Book, and the Name of the Publisher thereof, in the Register Book of the Company of Stationers in *London*, in such manner as hath been usual with respect to Books, the Title whereof hath heretofore been entered in such Register Book, and deliver one Copy, on the best Paper as aforesaid, for the use of *The British Museum*; which Register Book shall at all times be kept at the Hall of the said Company; for every of which several Entries the Sum of Two Shillings shall be paid, and no more: Which said Register Book may at all seasonable and convenient times be resorted to and inspected by any Person; for which inspection the Sum of One Shilling shall be paid to the Warehousekeeper of the said Company of Stationers; and such Warehousekeeper shall, when and as often as thereto required, give a Certificate under his hand of every or any such Entry, and for every such Certificate the Sum of One Shilling shall be paid: And in case such Entry of the Title of any Book or Books shall not be duly made by the Publisher or Publishers of any such Book or Books, within the said calendar Month, or Three Months, as the case may be, then the Publisher or Publishers of such Book or Books shall forfeit the Sum of Forty Shillings, together with Five times the Price at which such Book shall be sold or advertised, to be recovered by any Person or Persons who will sue for the same, in any Court of Record in *The United Kingdom*, by Action of Debt, Bill, Plaint or Information, in which no Wager of Law, Essoign, Privilege or Protection, nor more than one Imparlance, shall be allowed: Provided always, That in the case of Magazines, Reviews, or other periodical Publications, it shall be sufficient to make such Entry in the Register Book of the said Company within One month next after the publication of the First Number or Volume of such Magazine, Review, or other periodical Publication: Provided always, That no failure in making any such Entry shall in any manner affect any Copyright, but shall only subject the Person making default to the Penalty aforesaid under this Act.

(CLAUSE A.)
The Title to the Copy of all Books, together with the Name of the Publisher, shall be entered at Stationers' Hall within a certain time after publication.

And be it further Enacted, That the said Warehousekeeper of the Company of Stationers shall from time to time and at all times, without any greater interval than Three months, transmit to the Librarian or other person authorized on behalf of the Libraries before mentioned, correct Lists of all Books entered in the Books of the said Company, and not contained in former Lists, distinguishing such as are accompanied by a

CLAUSE (No. 1.)
Warehouse-keeper of Stationers' Hall to transmit to Librarians Lists of Books entered; and call on Publisher for the Copies demanded.

214.

B

disclaimer

disclaimer of Copyright; and that on being required so to do by the said Librarians or other authorized person, or either of them, he shall call on the Publisher or Publishers of such Books, for as many of the said Copies as may have been demanded of them.

CLAUSE (B.)

Where the Proprietor shall enter at Stationers' Hall, that he does not mean to retain the Copyright, no Copies to be demanded, except to the British Museum.

Provided also, and be it further Enacted, That in all cases where the Proprietor or Proprietors of any Book or Books shall cause it to be entered in the Register Book of the Stationers' Company at Stationers' Hall, *London*, and shall have delivered a written Declaration to the Warehousekeeper of the said Company of Stationers, signed with the name or names of the said respective Proprietors, that he does not mean to retain or preserve the exclusive Copyright of such Book or Books, which Entry shall be deemed and taken to be a full and complete renunciation, by such Proprietor or Proprietors, of all Copyright at common law and otherwise, no printed Copy or Copies of such Book or Books shall be demanded by, or delivered to or for the use of any of the Libraries in this Act mentioned, except to the Library of the *British Museum*; any thing herein to the contrary notwithstanding: Provided always, That in case Copyright shall be afterwards claimed by any other person or persons, under any pretence whatsoever, then the obligation for Entry and Delivery in all respects as if no such special Entry had been made, shall attach on the person or persons so claiming under all the provisions before enacted.

CLAUSE (C.)

One-fifth of the retail price to be paid for such Copies as shall be demanded.

Provided also, and be it further Enacted, That in all cases hereafter where a printed Copy or Copies of any Book or Books shall be demanded by or for the use of any of the Libraries aforesaid, except for the Library of the *British Museum*, One fifth part of the retail Price thereof shall be paid for the same, by or for such Library for which such Copy or Copies shall be demanded, to the Publisher thereof, at the time of making such demand; and in case such One fifth part of the retail Price shall not be paid, no such printed Copy or Copies shall be delivered to or for the use of such Library for which the same shall be demanded, any thing herein contained to the contrary notwithstanding.

CLAUSE (D.)

Copies delivered, to be deposited in the Libraries demanding them, and not to be sold within Seven Years.

Provided also, and be it further Enacted, That all and every the printed Copy and Copies of any Book or Books, that shall be hereafter demanded or received by or on account of any of the Libraries aforesaid under this Act, shall be deposited in such Libraries respectively, and shall not be sold or disposed of within the space of Seven Years from the time of the delivery of such Copies.

**CLAUSE
(No. 2.)
Limitation of
Actions.**

Provided nevertheless, That all Actions, Suits, Bills, Indictments or Informations, for any Offence that shall be committed against this Act, shall be brought sued and commenced within Six months next after such Offence committed, or else the same shall be void and of no effect.

687

Sess. 1813-14.

A

B I L L

[AS AMENDED ON RE-COMMITMENT]

To amend the several Acts for the Encouragement of Learning, by securing the Copies and Copyright of printed Books, to the Authors of such Books, or their Assigns.

*Ordered, by The House of Commons, to be printed,
7 June 1814.*
