ANNO QUADRAGESIMO PRIMO

GEORGII III. REGIS.

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C A P. CVII.

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.

[2d *July* 1801.]

WHEREAS it is expedient that further Protection ſhould be afforded to the Authors of Books, and the Purchaſers of the Copies and Copyright of the ſame, in the United Kingdom of *Great Britain* and *Ireland*; may it therefore pleaſe Your 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 the Author of any Book or Books already compoſed, and not printed or publiſhed, and the Author of any Book or Books which ſhall hereafter be compoſed, and the Aſſignee or Aſſigns of ſuch Authors reſpectively, ſhall have the ſole Liberty of printing and re-printing ſuch Book and Books, for the Term of Fourteen Years, to commence from the Day of firſt publiſhing the ſame, and no longer; and that if any other Bookſeller, Printer, or other Perſon who-

Preamble.

Authors of Books already compoſed, and not printed or publiſhed, and of Books to be hereafter compoſed, and their Aſſigns, ſhall

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have the sole Right of printing them for 14 Years: Booksellers, &c. in any Part of the United Kingdom, or *British European* Dominions, who shall print, reprint, or import, *etc.* 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 3*d. per* Sheet, Half to the King, and Half to the Informer.

soever, in any Part of the said United Kingdom, or in any Part of the *British* Dominions in *Europe*, shall, from and after the passing of this Act, print, re-print, or import, or shall cause to be printed, re-printed, or imported, any such Book or Books, without the Consent of the Proprietor or Proprietors of the Copyright of and in such Book or Books first had and obtained in Writing, signed in the Presence of Two or more credible Witnesses, or, knowing the same to be so printed, re-printed, or imported, without such Consent of such 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 such Offender or Offenders shall be liable to a special Action on the Case, at the Suit of the Proprietor or Proprietors of the Copyright of such Book or Books so unlawfully printed, re-printed, 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 Proprietor and 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 *Europe*, in which the Offence shall be committed, recover such Damages as the Jury on the Trial of such Action, or on the Execution of a Writ of Enquiry 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 or Offenders shall also forfeit such Book or Books, and all and every Sheet and Sheets being Part of such Book or Books, and shall deliver the same to the 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 Proprietor or Proprietors, to be made on Motion or Petition to the said Court; and the said Proprietor or Proprietors shall forthwith damask or make Waste Paper of the said Book or Books, and Sheet or Sheets respectively; and all and every such Offender or Offenders shall also forfeit the Sum of Three-pence for every Sheet which shall be found in his or their Custody, 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 Heirs and Successors, 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: Provided always, That after the Expiration of the said Term of Fourteen Years, the Right of printing or disposing of Copies shall return to the Authors thereof, if they are then living, for another Term of Fourteen Years.

Authors shall have a Second 14 Years Term, if living.

Act shall not extend to Books already published, nor indemnify against Penalties under former Acts in force at the Union of *Great Britain* and *Ireland*.

II. Provided also, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to any Book or Books heretofore composed, and printed or published in any Part of the said United Kingdom, nor to exempt or indemnify any Person or Persons whomsoever, from or against any Penalties or Actions, to which he, she, or they shall or may have become, or shall or may hereafter be liable for or on Account of the unlawfully printing, reprinting, or importing such Book or Books,

or

or the ſelling, publiſhing, or expoſing the ſame to Sale, or the having the ſame in his or their Poſſeſſion for Sale, contrary to the Laws and Statutes in force reſpecting the ſame, at the Time of the paſſing an Act in the Seſſion of Parliament of the Thirty-ninth and Fortieth Years of the Reign of His preſent Majeſty, intituled, *An Act for the Union of Great Britain and Ireland.* 39 & 40 Geo. III, Cap. 67.

III. And whereas Authors have heretofore bequeathed, given, or aſſigned, and may hereafter bequeath, give, or aſſign, the Copies or Copyrights of and in Books compoſed by them, to or in Truſt for the College of the Holy Trinity of *Dublin*; and, in and by their ſeveral Wills or other Inſtruments, have directed or may direct, that the Profits ariſing from the printing or reprinting ſuch Books, ſhall be applied or appropriated as a Fund for the Advancement of Learning, and other beneficial Purpoſes of Education, within the College aforeſaid: And whereas ſuch uſeful Purpoſes will frequently be fruſtrated, unleſs the ſole Right of printing and reprinting of ſuch Books, the Copies of which ſhall have been or ſhall be ſo bequeathed, given, or aſſigned as aforeſaid, be preſerved and ſecured to the ſaid College in Perpetuity; be it therefore further enacted, That the ſaid College ſhall, at their own Printing Preſs, within the ſaid College, have for ever the ſole Liberty of printing and reprinting all ſuch Books as ſhall at any Time heretofore have been, or (not having been heretofore publiſhed or aſſigned) ſhall at any Time hereafter be bequeathed, or otherwiſe given or aſſigned by the Author or Authors of the ſame reſpectively, or the Repreſentatives of ſuch Author or Authors, to or in Truſt for the ſaid College for the Purpoſes aforeſaid, unleſs the ſame ſhall have been bequeathed, given, or aſſigned, or ſhall hereafter be bequeathed, given, or aſſigned for any Term of Years, or any other limited Term; any Law or Uſage to the contrary thereof in anywiſe notwithſtanding; and that if any Printer, Bookſeller, or other Perſon whoſoever, ſhall, from and after the paſſing of this Act, unlawfully print, reprint, or import, or cauſe to be printed, reprinted, or imported, or, knowing the ſame to be ſo unlawfully printed, reprinted, or imported, ſhall ſell, publiſh, or expoſe to Sale, or cauſe to be ſold, publiſhed, or expoſed to Sale, or have in his or their Poſſeſſion for Sale, any ſuch laſt-mentioned Book or Books, ſuch Offender and Offenders ſhall be ſubject and liable to the like Actions, Penalties, and Forfeitures as are hereinbefore mentioned and contained with reſpect to Offenders againſt the Copyrights of Authors and their Aſſigns: Provided nevertheleſs, That nothing in this Act ſhall extend to grant any excluſive Right to the ſaid College of the Holy Trinity of *Dublin*, otherwiſe than ſo long as the Books or Copies belonging to the ſaid College, are and ſhall be printed only at the Printing Preſs of the ſaid College, within the ſaid College, and for the ſole Benefit and Advantage of the ſaid College; and that if the ſaid College ſhall delegate, grant, leaſe, or ſell the Copyrights or excluſive Rights of printing the Books hereby granted, or any Part thereof, or ſhall allow, permit, or authorize any Perſon or Perſons, or Bodies Corporate, to print or reprint the ſame, then the Privilege hereby granted ſhall become void and of no Effect, in the ſame Manner as if this Act had not been made; but the ſaid College ſhall nevertheleſs have a Right to ſell ſuch Copies ſo bequeathed or given as aforeſaid, in like Manner as any Author or Authors can or may lawfully do under the Proviſions of this Act, or any other Act now in force.

Trinity College *Dublin*, ſhall for ever have the ſole Right of printing Books given or bequeathed to them, unleſs they are given, *etc.* for a limited Time only.

Penalty on Perſons printing ſuch Books the ſame as under § 1.

To extend only to Books printed at the College Preſs.

But the College may ſell their Copyrights.

IV. Provided

Booksellers, *etc.* shall not be liable to the Penalty of 3 *d. per* Sheet, unless the Title to the Copyright be entered by the Proprietor, *etc.* at Stationers Hall, *London*; nor if the Consent of the Proprietor be so entered.

IV. Provided also, and be it further enacted, That no Bookseller, Printer, or other Person whosoever, shall be liable to the said Penalty of Three-pence *per* Sheet, for or by reason of the printing, reprinting, importing, or selling of any such Book or Books, or the having the same in his or their Custody for Sale, without the Consent of the Proprietor or Proprietors of the Copyright thereof as aforesaid, unless before the Time of the Publication of such Book or Books by the Proprietor or Proprietors thereof (other than the said College) the Right and Title of such Proprietor or Proprietors shall be duly entered in the Register Book of the Company of Stationers in *London*, in such Manner as hath been usually heretofore done by the Proprietors of Copies and Copyrights in *Great Britain*; nor if the Consent of such Proprietor or Proprietors for the printing, reprinting, importing, or selling such Book or Books, shall be in like Manner entered; nor unless the Right and Title of the said College to the Copyright of such Book or Books as has or have been already bequeathed, given, or assigned to the said College, be entered in the said Register Book before the Twenty-ninth Day of *September* One thousand eight hundred and one, and of all and every such Book or Books as may or shall hereafter be bequeathed, given, or assigned as aforesaid, be entered in the said Register Book within the Space of Two Months after any such Bequest, Gift, or Assignment shall have come to the Knowledge of the Provost of the said College; for every of which several Entries Sixpence shall be paid, and no more; which said Register Book shall at all Times be kept at the Hall of the said Company, and shall and may at all seasonable and convenient Times be resorted to and inspected by any Bookseller, Printer, or other Person, 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, and the said Clerk shall also, without Fee or Reward, within Fifteen Days next after the Thirty-first Day of *December* and the Thirtieth Day of *June* in each and every Year, make or cause to be made, for the Use of the said College, a List of the Titles of all such Books, the Copyright to which shall have been so entered in the Course of the Half Year immediately preceding the said Thirty-first Day of *December* and the Thirtieth Day of *June* respectively, and shall upon Demand deliver the said Lists or cause the same to be delivered to any Person or Persons duly authorized to receive the same for and on Behalf of the said College.

Clerk of the Company shall give Certificates of Entries, and make a Half-yearly List of the Books so entered for the Use of Trinity College.

If the Clerk refuses to make Entries, &c. Parties may give Notice in the *London Gazette*, and the Clerk shall forfeit 20*l.*

V. Provided also, 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 or Certificates, being thereunto respectively required by the Author or Authors, Proprietor or Proprietors of such Copies or Copyrights, or by the Person or Persons to whom such Consent shall be given, or by some Person on his or their Behalf, in the Presence of Two or more credible Witnesses, then such Party or Parties so refused, Notice being first duly given by Advertisement in the *London 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 any such Offence, forfeit to the Author or Proprietor of such Copy or Copies, or to the Person or

Perſons to whom ſuch Conſent ſhall be given, the Sum of Twenty Pounds; or if the ſaid Clerk ſhall refuſe or neglect to make the Liſt aforeſaid, or to deliver the ſame to any Perſon duly authorized to demand the ſame on Behalf of the ſaid College, the ſaid Clerk ſhall alſo forfeit to the ſaid College the like Sum of Twenty Pounds; which ſaid reſpective Penalties ſhall and may be recovered in any of His Majeſty's Courts of Record in the ſaid 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.

Two additional Copies of Books entered at Stationers Hall, ſhall be delivered there for the Uſe of the Libraries of Trinity College, and the King's Inns, *Dublin*.

VI. Provided alſo, and be it further enacted, That from and after the paſſing of this Act, in Addition to the Nine Copies now required by Law to be delivered to the Warehouſe-keeper of the ſaid Company of Stationers, of each and every Book and Books which ſhall be entered in the Regiſter Book of the ſaid Company, One other Copy ſhall be in like Manner delivered for the Uſe of the Library of the ſaid College of the Holy Trinity of *Dublin*, and alſo One other Copy for the Uſe of the Library of the Society of the King's Inns *Dublin*, by the Printer or Printers of all and every ſuch Book and Books as ſhall hereafter be printed and publiſhed, and the Title to the Copyright whereof ſhall be entered in the ſaid Regiſter Book of the ſaid Company; and that the ſaid College and the ſaid Society ſhall have the like Remedies for enforcing the Delivery of the ſaid Copies, and that all Proprietors, Booksellers, and Printers, and the Warehouſe-keeper of the ſaid Company, ſhall be liable to the like Penalties for making Default in delivering the ſaid Copies for the Uſe of the ſaid College and the ſaid Society, as are now in Force with reſpect to the delivering or making Default in delivering the Nine Copies now required by Law to be delivered in Manner aforeſaid.

No Perſon ſhall import into any Part of the United Kingdom, for Sale, any Book firſt compoſed, &c within the United Kingdom, and reprinted elſewhere. Penalty on importing, ſelling, or keeping for Sale, any ſuch Books, Forfeiture thereof, and alſo 10*l.* and Double the Value. Books may be ſeized by Officers of Cuſtoms or Exciſe, who ſhall be rewarded.

~~VII. And be it further enacted~~, That, from and after the paſſing of this Act, it ſhall not be lawful for any Perſon or Perſons whomſoever to import or bring into any Part of the ſaid United Kingdom of *Great Britain* and *Ireland* for Sale, any printed Book or Books, firſt compoſed, written, or printed, and publiſhed in any Part of the ſaid United Kingdom, and reprinted in any other Country or Place whatſoever; and if any Perſon or Perſons ſhall import or bring, or cauſe to be imported or brought for Sale any ſuch printed Book or Books into any Part of the ſaid United Kingdom, contrary to the true Intent and Meaning of this Act, or ſhall knowingly ſell, publiſh, or expoſe to Sale, or have in his or their Poſſeſſion for Sale, any ſuch Book or Books, then every ſuch Book or Books ſhall be forfeited, and ſhall and may be ſeized by any Officer or Officers of Cuſtoms or Exciſe, and the ſame ſhall be forthwith made Waſte Paper; and all and every Perſon and Perſons ſo offending, being duly convicted thereof, ſhall alſo, for every ſuch Offence, forfeit the Sum of Ten Pounds, and Double the Value of each and every Copy of ſuch Book or Books which he, ſhe, or they ſhall ſo import or bring, or cauſe to be imported or brought into any Part of the ſaid United Kingdom, or ſhall knowingly ſell, publiſh, or expoſe to Sale, or ſhall cauſe to be ſold, publiſhed, or expoſed to Sale, or ſhall have in his or their Poſſeſſion for Sale, contrary to the true Intent and Meaning of this Act; and the Commiſſioners of Cuſtoms in *England*, *Scotland*, and *Ireland* reſpectively (in caſe the ſame ſhall be ſeized by any Officer or Officers of Cuſtoms) and the Commiſſioners of Exciſe in *England*, *Scotland*, and *Ireland* reſpectively (in

caſe the ſame ſhall be ſeized by any Officer or Officers of Exciſe) ſhall alſo reward the Officer or Officers who ſhall ſeize any Books which ſhall be ſo made Waſte Paper of, with ſuch Sum or Sums of Money as they the ſaid reſpective Commiſſioners ſhall think fit, not exceeding the Value of ſuch Books; ſuch Reward reſpectively to be paid by the ſaid reſpective Commiſſioners, out of any Money in their Hands reſpectively ariſing from the Duties of Cuſtoms and Exciſe: Provided, That no Perſon or Perſons ſhall be liable to any of the laſt mentioned Penalties or Forfeitures, for or by Reaſon or Means of the Importation of any Book or Books which has not been printed or reprinted in ſome Part of the ſaid United Kingdom, within Twenty Years next before the ſame ſhall be imported, or of any Book or Books reprinted Abroad, and inſerted among other Books or Tracts to be ſold therewith in any Collection, where the greateſt Part of ſuch Collection ſhall have been firſt compoſed or written Abroad.

Not to extend to Books not having been printed in the United Kingdom for 20 Years.

General Iſſue.

VIII. And be it further enacted, That if any Action or Suit ſhall be commenced or brought againſt any Perſon or Perſons whomſoever, 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 ſhall be given for the Defendant, or the Plaintiff become nonſuited, or 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; and 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 none Effect.

Limitation of Actions under this Act Six Months.

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