

LIBRARY OF CONGRESS
COPYRIGHT OFFICE

Report
OF THE
Register of Copyrights
FOR THE
Fiscal Year 1917-1918

[Reprinted from the Report of the Librarian of Congress]



WASHINGTON
GOVERNMENT PRINTING OFFICE

1919

PUBLICATIONS OF THE COPYRIGHT OFFICE

The following 5 bulletins and circulars which have been issued by the Copyright Office may be had free on request to the REGISTER OF COPYRIGHTS, LIBRARY OF CONGRESS, WASHINGTON, D. C.:

BULLETIN No. 14.

The Copyright Law of the United States of America, being the act of March 4, 1909 (in force July 1, 1909), as amended by the acts of August 24, 1912, March 2, 1913, and March 28, 1914, together with Rules for Practice and Procedure under Section 25, by the Supreme Court of the United States. 80 pp. 8°. 1918.

BULLETIN No. 15.

Rules and Regulations for the Registration of Claims to Copyright. Prepared under the authority conferred in section 53 of the copyright act of 1909. 29 pp. 8°. 1917.

BULLETIN No. 16.

Copyright in England. Act 1 and 2 Geo. 5, ch. 46. An act to amend and consolidate the law relating to copyright, passed December 16, 1911. [In force, July 1, 1912. With addenda of previous copyright acts not repealed.] 54 pp. 8°. 1914.

INFORMATION CIRCULAR No. 4.

International Copyright Convention. Berne, 1886, and amendments agreed to at Paris, 1896. Also, additional protocol to Berlin convention, signed at Berne, March 20, 1914. 17 pp. 4°.

INFORMATION CIRCULAR No. 4 A.

International Copyright Convention. Revised text, Berlin, 1908. 12 pp. 4°.

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APPENDIX II

REPORT OF THE REGISTER OF COPYRIGHTS FOR THE FISCAL YEAR 1917-18

WASHINGTON, D. C., July 10, 1918.

SIR: The copyright business and the work of the Copyright Office for the fiscal year July 1, 1917, to June 30, 1918, inclusive, are summarized as follows:

RECEIPTS

The gross receipts during the year were \$109,105.87. A ^{Fees etc.} balance of \$10,375.33, representing trust funds and unfinished business, was on hand July 1, 1917, making a total of \$119,481.20 to be accounted for. Of this amount the sum of \$3,023.95 received by the Copyright Office was refunded as excess fees or as fees for articles not registrable, leaving a net balance of \$116,457.25. The balance carried over to July 1, 1918, was \$10,104.85 (representing trust funds, \$8,029.55, and total unfinished business since July 1, 1897—21 years—\$2,075.30), leaving fees applied during the fiscal year 1917-18 and paid into the Treasury \$106,352.40.

The yearly copyright fees have more than doubled since the reorganization of the office in 1897, reaching above the \$100,000 mark during the first year of operation under the new copyright law, which went into effect on July 1, 1909. The annual applied fees since July 1, 1897, are:

1897-98	\$55,926.50	1909-10	\$104,644.95
1898-99	58,267.00	1910-11	109,913.95
1899-1900	65,206.00	1911-12	116,685.05
1900-1901	63,687.50	1912-13	114,980.60
1901-2	64,687.00	1913-14	120,219.25
1902-3	68,874.50	1914-15	111,922.75
1903-4	72,629.00	1915-16	112,986.85
1904-5	78,058.00	1916-17	110,077.40
1905-6	80,198.00	1917-18	106,352.40
1906-7	84,685.00		
1907-8	82,387.50	Total	1,866,205.95
1908-9	83,816.75		

EXPENDITURES

Salaries

The appropriation made by Congress for salaries in the Copyright Office for the fiscal year ending June 30, 1918, was \$104,740. The total expenditures for salaries was \$103,628.69, or \$2,723.71 less than the net amount of fees earned and paid into the Treasury during the corresponding year. The expenditure for supplies, including stationery and other articles and postage on foreign mail matter, etc., was \$954.11.

Copyright receipts and fees

During the 21 fiscal years since the reorganization of the Copyright Office (from July 1, 1897, to June 30, 1918) the copyright fees applied and paid into the Treasury have amounted to \$1,866,205.95, the articles deposited number 4,024,533, and the total copyright registrations have exceeded two and a quarter millions (2,269,707).

Excess of fees over salaries

The fees earned (\$1,866,205.95) were larger than the appropriations for salaries used during the same period (\$1,616,424.53) by \$249,781.42.

Value of copyright deposits

In addition to this direct profit, a large number of the four millions of books, maps, musical works, periodicals, prints, and other articles deposited during the 21 years were of substantial pecuniary value and of such a character that their accession to the Library of Congress through the Copyright Office effected a large saving to the purchase fund of the Library equal in amount to their price.

COPYRIGHT ENTRIES AND FEES

Registrations

The registrations for the fiscal year numbered 106,728. Of these, 99,657 were registrations at \$1 each, including a certificate and 5,214 were registrations of photographs without certificates, at 50 cents each. There were also 1,857 registrations of renewals, at 50 cents each. The fees for these registrations amounted to a total of \$103,192.50.

The number of registrations in each class from July 1, 1912, to June 30, 1918, is shown in Exhibit F.

COPYRIGHT DEPOSITS

Articles deposited

The total number of separate articles deposited in compliance with the copyright law, which have been registered, stamped, indexed, and catalogued during the fiscal year,

amount to 186,050. The number of these articles in each class for the fiscal years July 1, 1914, to June 30, 1918, is shown in Exhibit G.

It is not possible to determine exactly how completely the works which claim copyright are deposited; but as title cards are printed and supplied upon request to other libraries for all books bearing United States notice of copyright, the demand for such cards for works not received furnishes some indication of possible percentage of failure to deposit.

In response to inquiries received during the year from the Card Section, the Order Division, and the Reading Room, in regard to 335 books supposed to have been copyrighted but not discovered in the Library, it was found that 29 of these works had been received and were actually in the Library, 39 books had been deposited and were still in the Copyright Office, 57 works were either not published, did not claim copyright, or for other valid reasons could not be deposited, while in the case of 40 works, no answers to our letters of inquiry had been received up to June 30, 1918. Copies were received of 170 works in all in response to requests made by the Copyright Office during the period of 12 months for the works published in recent years.

The total copyright deposit for the year included 20,633 printed volumes; 24,761 pamphlets and leaflets; 51,644 newspapers and magazines; 2,961 dramas; 34,874 pieces of music; 2,520 maps; 11,810 photographs; 14,411 prints; 8,951 motion pictures; 10,699 contributions to periodicals; 2,634 works of art and drawings, and 152 lectures.

Our copyright laws have required the deposit of copies for the use of the Library of Congress. The act of 1909, which expressly provided for such deposit in order to secure the registration of the work, still insisted upon a deposit of two copies for the benefit of the Library; but to check the useless accumulation of such copies in the Copyright Office it is provided that the Librarian of Congress shall determine (1) "what books or other articles shall be transferred to the permanent collections of the Library of Congress, including the Law Library," (2) "what other books or articles shall be placed in the reserve collections of the Library of Congress for sale or exchange," and (3) "or be transferred

to other governmental libraries in the District of Columbia for use therein." The law further provides that articles remaining undisposed of, may, upon specified conditions, be returned to the authors or copyright proprietors.

The total articles disposed of in these three ways during the fiscal year numbered 125,235; of these, 82,651 were transferred to the Library for its collections; 16,328 were sent to other "departmental libraries," and 26,256 were returned to the claimants of copyright.

Transfer of deposits to Library of Congress

During the fiscal year the following transfers were made from the Copyright Office to the Library of Congress. Under (1) the "first copies" of copyright books forwarded as received from day to day, numbered 10,380 volumes; and other works specifically indicated (including 649 foreign

Musical compositions

books and pamphlets) numbered 8,080. Of musical compositions 34,874 were deposited and registered during the year, and of these 20,925 were selected and transferred to the Music Division. There were also transferred 113 musical compositions that were registered prior to 1909 under the old law. All of the 1,269 separate maps registered during the

Maps, etc.

year were placed in the Map Division, besides 53 older map deposits. Out of the total of 15,270 photographs, engravings, and other "pictorial illustrations" entered, 3,085 were selected and forwarded to the Prints Division for permanent deposit. Of the 26 daily newspapers registered both copies

Newspapers and magazines

of 19 (7 being rejected) were promptly sent to the Periodical Division and 1,215 different magazines and periodicals, including weekly newspapers, out of the 1,540 different journals received, were also transferred to that division. In the case of newspapers and periodicals, each number is required by law to be deposited and separately registered, and for the 1,215 periodicals taken over by the Periodical Division, 20,373 registrations were made and 40,746 separate issues or pieces were dated, numbered, catalogued, and forwarded from day to day during the year, thus making a grand total of 82,651 articles transferred to the Library for its collections,

40,746 numbers of newspapers forwarded

American poetry and drama

Under (2) there has been transferred on the Librarian's order to Brown University a collection of books and pamphlets relating to American poetry and printed dramas by American authors, numbering 1,534 pieces, and a miscellaneous collection of 9,939 volumes was forwarded for the bene-

fit of the "Library War Service," making, with the current books, a total of 29,933 books and pamphlets delivered to the Library from the Copyright Office during the year. Since the copyright act of March 4, 1909, went into effect (from Dec. 10, 1910, to June 30, 1918), the Copyright Office has transferred to the Library of Congress 170,189 books; 205,384 musical compositions; 53,165 maps; 37,718 photographs and prints; and 305,051 newspapers and magazines—a grand total of 771,507 pieces.

Under (3) the transfer during the year to other governmental libraries in the District of Columbia "for use therein" ^{Books transferred to other libraries} included 4,855 books. The character of the works thus transferred has usually determined the designation of the library for their final deposit, e. g., agricultural books to the Department of Agriculture, scientific or technical books to the Engineer School or the Patent Office, and all medical books or books on allied subjects to the library of the Surgeon General's Office. The following libraries (receiving above 1,000 volumes each) have received up to June 30, 1918, the number of books indicated below:

Bureau of Education, 11,051; Bureau of Standards, 2,010; Department of Agriculture, 1,915; Department of Commerce, 1,652; Engineer School, Corps of Engineers, 2,008; Federal Trade Commission, 2,206; library of the Surgeon General's Office, 2,520; Navy Department, 1,461; Public Library of the District of Columbia, 26,922. Nine hundred and seventy-four volumes were also sent to the Library of the United States Soldiers' Home, and 6,851 volumes were distributed among various other governmental libraries in the District; in all, 59,570 volumes.

Under the provisions of the act of March 4, 1909, authority is granted also for the return to the claimants of copyright of such copyright deposits as are not needed by the Library of Congress or the Copyright Office. ^{Return of deposits to copyright claimants} The notice required by section 60 has been printed for all classes of works deposited and registered during the years January 1, 1900, to June 30, 1914. In response to special requests, 7,979 motion-picture films have been returned during the fiscal year to the copyright claimants, and of the current deposits not needed by the Library of Congress the following have also been so returned: 9,804 "books" (pamphlets, leaflets, etc.), 23 photo-

graphs, 6,372 prints, 2,052 periodicals, 15 pieces of music, and 11 manuscript dramas; a total of 26,256 pieces. Since the act went into effect up to June 30, 1918, a total of 358,047 works have thus been returned to the claimants of copyright in them; and altogether there has been transferred from the Copyright Office shelves 1,212,595 different articles, thus securing a great saving of space and avoiding useless duplication and accumulation.

*Accumulation of
copyright deposits*

The total number of articles deposited during the period from July 1, 1897 (when the Copyright Office was reorganized), to June 30, 1918, was nearly four millions (3,838,483), out of which nearly one and one-quarter million articles have been disposed of as noted above, leaving more than two and a half million articles on our shelves. These are in addition to the uncounted accumulation of articles deposited from 1870 to 1897. This great collection of books, pamphlets, leaflets, music, photographs, prints, and other articles, which are of no use to the Library of Congress, occupy shelf space which it is increasingly embarrassing to spare for this purpose. It has been demonstrated during the last 20 years that there is little likelihood of any calls for the examination or other use of any of this material, and no demand is known to have occurred which could not be met by reference to the copies upon the shelves of the Library.

THE COPYRIGHT INDEX AND CATALOGUE, BULLETINS, AND CIRCULARS

*Claim of copy-
right*

The copyright law requires that the works deposited for registration shall in each case be accompanied by a "claim of copyright," and that the application for registration shall specify to which of the classes named in section 5 of the act the work in which copyright is claimed belongs. In order to facilitate compliance with these requirements of law and to secure uniform applications and make sure of obtaining without need for correspondence and consequent loss of time all the facts which the law expressly requires shall go upon record, the Copyright Office has prepared application forms for all the various classes of works which may be registered. These applications become the "claims of copyright" required by law to be filed. They are prepared upon cards of a uniform size, and are so printed that when prop-

erly headlined, they furnish the card index for all the entries made under the names of the claimants of copyright—that is, the proprietors of the literary or artistic property. The economy in service cost thus effected is clearly indicated when it is noted that the applications from July 1, 1909, to June 30, 1918, number more than one million (1,037,178).

In addition to the cards indexed by the names of copyright proprietors, cards are prepared for all books and pamphlets under the names of the authors, all music, dramas, and periodicals under their titles, maps under subject headings, prints, photographs, etc., under the names of artists and subjects, and motion-pictures under their titles. 189,654 cards were required to be made during the fiscal year for properly indexing these entries.

These index cards are first used as copy for the printed Catalogue of Copyright Entries, and after being so used are added to the permanent card indexes of the copyright entries. These indexes now contain considerably more than 3,000,000 cards. The copyright act of 1909 provides that when complete and indexed catalogues have been compiled and printed for any one class of copyright entries, the original manuscript catalogue cards containing the titles included in such printed volumes may, if expedient, be destroyed. The completion of the Catalogue of Dramas copyrighted from 1870 to 1916 has enabled us to remove upwards of 200,000 index cards from the congested catalogue of drama entries.

The act of March 3, 1891, providing protection in the United States for the works of foreign authors, directed the Librarian of Congress to furnish to the Secretary of the Treasury copies of the copyright entries, and that the Secretary prepare and print weekly catalogues of such title-entries. The copyright act of March 4, 1909, requires the Register of Copyrights to "print at periodic intervals a catalogue of the titles of articles deposited and registered for copyright, together with suitable indexes," and provides that such catalogues may "be furnished to all parties desiring them at a price to be determined by the Register of Copyrights, not exceeding \$5 per annum for the complete catalogue of copyright entries and not exceeding \$1 per annum for the catalogue issued during the year for any one class of subjects."

Card index of claimants

Other card indexes

Index cards utilized for printing catalogue

Elimination of useless index cards

Catalogue of copyright entries

May be sold

Published in parts Under these provisions of law the Catalogue of Copyright Entries is published in four parts, sold separately or as a whole at a nominal subscription rate within the maximum price fixed by law, as follows: The entire catalogue, *Subscription prices* \$3 for the calendar year; Part 1, Groups 1 and 2, Books, Pamphlets, Contributions to Periodicals, Lectures, Dramatic Compositions, Maps and Motion Pictures, \$1; Part 2, Periodicals, 50 cents; Part 3, Musical Compositions, \$1; Part 4, Works of Art (Paintings, Drawings, and Sculpture), Photographs and Prints, 50 cents.

Numbers printed during 1917 The Catalogue was continued by the publication during the calendar year 1917 of 146 numbers of Part 1, Group 1, containing the book titles, with complete record of all renewals for books, and complete annual index, 1,164 plus 256 pages; 12 monthly numbers of Part 1, Group 2, containing titles for pamphlets, contributions to newspapers, lectures, dramatic compositions, maps and motion pictures, and a complete annual index, 1,839 closely printed pages; 4 quarterly numbers of Part 2, containing all registrations for newspapers and magazines with annual index, 421 pages; 12 monthly numbers of Part 3, musical compositions, with complete list of renewals for music and lists of music used or licensed to be used for mechanical reproduction, together with complete annual index, 1,786 compactly printed pages; and 4 quarterly numbers of Part 4, containing registrations of works of art and photographs and prints, with annual index, 397 pages.

Sets of Catalogue of Copyright Entries Of the Catalogue of Copyright Entries only a small edition has been printed beyond the five hundred odd copies distributed to "depository libraries." The natural result has been that full sets have become rare. It is now impossible to supply from the official stock any sets complete from the beginning. For the period from 1891 to 1897, copies for some numbers are entirely lacking. If any librarians have spare copies of the weekly numbers printed during this period, they may render good service in behalf of some future library desiring a set of the catalogue, if they will send such numbers to the Copyright Office. Copies of the following numbers will be especially welcome: no. 4, July, and no. 26, December, 1891; nos. 31 and 32, February, 1892; nos. 132, 133, 135, January, and no. 175, Novem-

ber, 1894. If any libraries are not preserving and binding the Catalogue, it would be preferable that their stock should come to the Copyright Office to help to perfect and make up sets of this complete record of the national output of works of literature and art, sure to be desired by new libraries formed hereafter.

During the year the continuous and persistent demands for the copyright laws (Bulletin no. 14) and "Rules and Regulations for the Registration of Claims to Copyright" (Bulletin no. 15) required these two bulletins to be reprinted, with such bringing up to date as seemed necessary.

*Bulletins nos. 14
and 15*

There has been active and continued interest in the judicial decisions construing the copyright act of March 4, 1909, and the previous compilations of such earlier decisions printed as addenda to my annual reports, and in the small Bulletin no. 17, have been followed by a more extended compilation by Mr. Richard C. DeWolf of the Copyright Office, printed in an octavo volume of 605 pages, as Bulletin no. 18, entitled: "Decisions of the United States Courts involving Copyright, 1914-1917." It includes, in addition to the decisions of the Federal courts from July 28, 1914, to July 2, 1917, a number of decisions of State courts and departmental decisions and opinions on the same subject or cognate subjects—such as the law of literary property, the unfair use of titles, etc.—handed down between July 1, 1909 (when the copyright act went into effect), and June 30, 1916. For convenience, the table of cases has been made to include, with suitable references, all copyright cases previously printed in my annual reports and in Bulletin no. 17. The volume is sold by the Superintendent of Documents in cloth binding for 60 cents.

*Bulletin no. 18.
Copyright deci-
sions*

During the fiscal year the printing has been finally completed of the catalogue of the "Dramatic Compositions Copyrighted in the United States, 1870 to 1916," which has been slowly coming from the Government Printing Office for several years. This work was under contemplation and was carefully planned for many years before it became possible to carry it out. The supervision of the final preparation of the catalogue was intrusted to Mr. Henry S. Parsons, chief of the Catalogue and Index Division of the Copyright Office, and he has devoted to the details of the work unre-

*Catalogue of
dramas 1870-1916*

mitting care and attention. The original title cards were prepared by the indexing and cataloguing force of his division, but the task of unifying the title entries, making sure of absolute accuracy, and the general editing of the printer's copy from A to Z has been the work of Mrs. Mary Wright Davis. Faithful and intelligent assistance in this task has been rendered by Dr. Woodbury Pulsifer and Mr. Earl M. Jeffrey, and the titles in foreign languages have been carefully revised by Dr. George C. Keidel, all members of the Copyright Office force.

Subscription price, \$4

The copyright act provides that the Register of Copyrights at stated intervals shall print complete and indexed catalogues for each class of copyright entries, and expressly provides that such consolidated catalogues and indexes shall be supplied "to all persons ordering them at such prices as may be determined to be reasonable" by the Superintendent of Public Documents. In accordance with this provision of law 1,000 copies of the catalogue of dramas is offered to subscribers at a price of \$4 for the set of two volumes (3,547 pages) bound in cloth.

Circular no. 57

After copyright relations were established between Australia and the United States, the usual edition was printed of Information Circular no. 57, containing the Australian copyright order in council of March 15, 1918, and the President's copyright proclamation of April 3, 1918. 6 pp. 8°.

SUMMARY OF COPYRIGHT BUSINESS

<i>Summary of copyright business</i>	Balance on hand July 1, 1917.....	\$10,375.33
	Gross receipts July 1, 1917, to June 30, 1918....	109,105.87
	Total to be accounted for.....	119,481.20
	Refunded.....	3,023.95
	Balance to be accounted for.....	\$116,457.25
	Applied as earned fees.....	106,352.40
	Balance carried over to July 1, 1918:	
	Trust funds.....	\$8,029.55
	Unfinished business July 1, 1897, to June 30, 1918, 21 years.....	2,075.30
		10,104.85
		<u>116,457.25</u>
	Total fees earned and paid into Treasury during the 21 years from July 1, 1897, to June 30, 1918.....	1,866,205.95
	Total unfinished business for 21 years.....	2,075.30

FEEs FOR FISCAL YEAR

Fees for registrations, including certificates, at \$1 each	\$99,657.00	<i>Fees</i>
Fees for registrations of photographs without certificates, at 50 cents each	2,607.00	
Fees for registrations of renewals, at 50 cents each	928.50	
Total fees for registrations recorded	\$103,192.50	
Fees for certified copies of record, at 50 cents each	651.50	
Fees for recording assignments	1,938.00	
Searches made and charged for at the rate of 50 cents for each hour of time consumed	109.50	
Notices of user recorded (Music)	177.50	
Indexing transfers of proprietorship	283.40	
	<u>3,159.90</u>	
Total fees for fiscal year 1917-18	106,352.40	

ENTRIES

Number of registrations	104,871	<i>Entries</i>
Number of renewals recorded	1,857	
	<u>106,728</u>	
Number of certified copies of record	1,393	
Number of assignments recorded or copied	1,369	

The greater part of the business of the Copyright Office is done by correspondence. The total letters and parcels received during the fiscal year numbered 132,073, while the letters, parcels, etc., dispatched numbered 134,720. Letters received transmitting remittances numbered 41,211, including money orders to the number of 26,955. During the last 21 fiscal years the money orders received number more than half a million (563,945).

CONDITION OF COPYRIGHT OFFICE WORK

On July 10, 1918, the remittances received up to the third mail of the day had been recorded. The account books of the Bookkeeping Division were balanced for June, the financial statements were rendered to the Treasury Department, and all earned fees to June 30 had been paid into the Treasury.

The current work for July had been written up and posted to July 9. The unfinished business amounted on June 30, 1918, to \$2,075.30. Of this, however, a large proportion represented business for the fiscal year, held awaiting answers to letters from the Copyright Office in regard to informalities, etc.

At the close of business on July 10, 1918, of the works deposited and passed for copyright registration up to and including Saturday, June 29, all had been recorded. Assignments to the number of 1,369 were received during the fiscal year, and all had been recorded except one lengthy document.

Loss of Copyright Office clerks

There has been some falling off in the number of copyright registrations since the beginning of the great war, especially in relation to foreign works published abroad. This decrease in the copyright business has to some extent lessened the embarrassment resulting from the serious loss of effective clerical force. From January 1, 1917, to July 10, 1918, in addition to the loss by death of two clerks of long service, there have been 51 resignations in a force of 91, including a large number of capable and experienced assistants, besides the chief clerk of the office (\$2,000), one clerk at \$1,600, and one clerk at \$1,000 called off to aid in the work in behalf of the "Library war service." These resignations gave opportunity for the promotion of clerks having good records, but the loss of so many of them, useful because of the experience gained by long service and training in the office, has not been made up by new appointments, as these last were of necessity, under present conditions, without special training or experience and thus a considerable loss in clerical service has resulted.

War service

The names of 21 young men from the office are inscribed on the Library's war service roll, having joined the military or naval service of the United States. Besides those thus taken directly out of the office, the remaining assistants represent many others who are in active war service. Two have their husbands, eight have their sons, three have brothers, and one has two nephews in active service.

COPYRIGHT LEGISLATION AND INTERNATIONAL COPYRIGHT RELATIONS

I. Legislation

Several copyright bills were introduced during the past fiscal year, one of which passed the Senate; but no final action has been taken on any of the measures proposed dealing with copyright.

Copyright bills

On April 23, 1918, Hon. Robert L. Owen introduced in the Senate "A bill relating to the deposit of copyrighted books upon medical and allied subjects,"¹ which was referred to the Committee on the Library. The bill was reported² by Hon. James W. Wadsworth, jr., without amendment, on May 13, 1918, and on May 20 (legislative day May 17), 1918, it was passed by the Senate. On May 29, 1918, the bill was referred to the House Committee on Patents.³ No further action is recorded. The full text of the bill as passed by the Senate is as follows:

Bill S. 4423:
Medical books

That in copyrighted books upon medical and allied subjects there shall be deposited with the Congressional Library three copies, one of which shall be for file in the library of the Surgeon General's Office of the United States Army, this library being the large general medical library for the use of the medical profession of the United States.

Full text of Bill
S. 4423

On July 25, 1917, Hon. George S. Graham introduced "A bill relating to copyrights,"⁴ providing that any person who had failed to comply with the requirements prescribed by Title 60, Chapter 3, of the Revised Statutes, namely, the filing of the title-page and the deposit of copies of a work entitled to copyright on or before publication, but who had made deposit of such work prior to January 1, 1917, "shall be entitled to all the rights and privileges of Title 60, Chapter 3, of the Revised Statutes and the said

Bill H. R. 5529:
Failure to comply
with formalities

¹ 1918 (Apr. 23). A bill relating to the deposit of copyrighted books upon medical and allied subjects. Introduced by Mr. Owen. S. bill 4423. 65th Cong., 2d sess. Printed, 1 p. 4°. [Referred to the Committee on the Library.]

² 1918 (May 23). A bill relating to the deposit of copyrighted books upon medical and allied subjects. Reported by Mr. Wadsworth, without amendment. S. bill 4423. 65th Cong., 2d sess. Printed, 1 p. 4°.

³ 1918 (May 29). A bill relating to the deposit of copyrighted books upon medical and allied subjects. S. act 4423. In the House of Representatives. Printed, 1 p. 4°. [Referred to the Committee on Patents.]

⁴ 1917 (July 25). A bill relating to copyrights. Introduced by Mr. Graham of Pennsylvania. H. R. bill 5529. 65th Cong., 1st sess. Printed, 2 pp. 4°. [Referred to the Committee on Patents.]

acts in amendment thereof." The bill was referred to the Committee on Patents.

Bill H. R. 5825:
Government publi-
cations On August 24, 1917, "A bill regulating the issuance of copyrights, and so forth, to authors, writers, correspondents, and others who have gained certain information while in the employment of and under pay from the Government"¹ was introduced in the House of Representatives by Hon. Tom D. McKeown and referred to the Committee on Patents. The text of this bill is printed on page 149 of this report.

Bill S. 3983:
Government docu-
ments On February 28, 1918, Hon. Duncan U. Fletcher presented in the Senate "A bill to protect Government documents by copyright,"² which was referred to the Committee on Patents. This bill is reprinted in full on page 149 of this report.

Designs copy-
right My report of last year briefly summarized the bills then pending for the revision of the law of copyright in designs for articles of manufacture. No final action was taken on

Bill H. R. 10028 these bills, but on February 19, 1918, a new bill was introduced in the House of Representatives by Hon. Charles B. Smith entitled "A bill providing for the registration of designs,"³ which was referred to the Committee on Patents and ordered to be printed.

Trading with the
enemy act Following the declaration of war on Germany, Congress enacted "An act to define, regulate, and punish trading with the enemy, and for other purposes." It was approved on October 6, 1917. Section 10 of the act provides in part as follows:

Sec. 10. That nothing contained in this act shall be held to make unlawful any of the following acts:

(a) An enemy, or ally of enemy, may file and prosecute in the United States an application for letters patent, or for registration of trade-mark, print, label, or *copyright*, and may pay any fees therefor in accordance with and as required by the provisions of existing law and fees for attorneys or agents for filing and prosecuting such appli-

¹ 1917 (Aug. 24). A bill regulating the issuance of copyrights, and so forth, to authors, writers, correspondents, and others who have gained certain information while in the employment of and under pay from the Government. Introduced by Mr. McKeown. H. R. bill 5825. 65th Cong., 1st sess. Printed, 1 p. 4°. [Referred to the Committee on Patents.]

² 1918 (Feb. 28). A bill to protect Government documents by copyright. Introduced by Mr. Fletcher. S. bill 3983. 65th Cong., 2d sess. Printed, 2 pp. 4°. [Referred to the Committee on Patents.]

³ 1918 (Feb. 19). A bill providing for the registration of designs. Introduced by Mr. Charles B. Smith. H. R. bill 10028. 65th Cong., 2d sess. Printed, 22 pp. 4°. [Referred to the Committee on Patents.]

cations. Any such enemy, or ally of enemy, who is unable during war, or within six months thereafter, on account of conditions arising out of war, to file any such application, or to pay any official fee, or to take any action required by law within the period prescribed by law, may be granted an extension of nine months beyond the expiration of said period, provided the nation of which the said applicant is a citizen, subject, or corporation shall extend substantially similar privileges to citizens and corporations of the United States.

The act contains detailed provisions for the grant of licenses by the President for the use of patents, trademarks or *copyrights* owned by an enemy or ally of enemy and an Executive order was issued by the President, July 16, 1918, providing in part as follows:

License to use enemy copyright

1. The Alien Property Custodian shall have the power and authority . . . to grant by lease, license, or otherwise, the right to use or other rights under or in respect of patents, *copyrights*, trade-marks, trade secrets, and other similar rights.

II. *International Copyright Relations.*

On October 6, 1917, the President approved the "Act to define, regulate, and punish trading with the enemy." Section 10 of this act provides that nothing in the act shall make it unlawful for an enemy or ally of enemy to file and prosecute in the United States an application for letters patent, or for the registration of a trade-mark, print, label, or *copyright*. It further provides that if such enemy or ally of enemy, on account of conditions arising out of the war, should be unable to take any action required by law during the war or within six months thereafter, he may be granted an extension of nine months, provided similar privileges are extended by enemy countries to citizens of the United States.

Copyright for alien enemy

Copyright relations were established with Germany on April 15, 1892, with Austria on September 20, 1907, and with Hungary (by treaty) on October 16, 1912. Under these treaty relations and the provisions of our copyright laws books by German, Austrian, or Hungarian authors are protected from the date of original publication of the work, provided, "promptly" after such publication, one copy of the work has been deposited in the Copyright Office, together with an application for registration. This copy

Copyright relations with Germany, Austria, and Hungary

may be of the original foreign edition, as our laws do not require that a book by a foreign author printed in a foreign language shall be reset in the United States. Under the provisions of section 10 of the act of October 6, 1917, books by German or Austrian authors published during the war, which have not been deposited "promptly" after publication "on account of conditions arising out of the war," may be deposited and claims of copyright registered at any time up to within six months after the war has ended, and (if reciprocal arrangements are made) even within a further period of delay up to nine months.

Copyright relations with Great Britain

In my last year's report (pp. 164-175) I presented a summarized statement of our copyright relations with foreign countries from July 1, 1891 (when such relations were first established), up to June 30, 1917, pointing out in what particulars they were unsatisfactory and inadequate, more especially as between Great Britain and the United States. Early in 1915, in order to provide more secure protection in England for unpublished works by American authors, a British order in Council was issued on February 15, 1915, providing that the British copyright act of 1911, should apply to literary, dramatic, musical, and artistic works by American authors "in like manner as if the authors had been British subjects," or "in respect of residence in the United States" by the authors of such works, in like manner as if such residence had been residence in Great Britain. As contention was made that this order in council might be applied also to include works by American authors previously published in the United States, but not republished in England, an official note of inquiry was forwarded by the Department of State, and under date of May 17, 1918, the following response and explanation was addressed by the Rt. Hon. Arthur Balfour to the Hon. W. H. Page, our ambassador at London:

YOUR EXCELLENCY:

With reference to your note no. 411 of March 20th, I have the honour to state that the object of the order in council of the 3rd February, 1915, was to provide protection within the Dominions to which the British copyright act extends for the *unpublished* works of citizens of the United States of America, and by the issue of such order, to obtain from the Government of the United States of America protection against repro-

Unpublished works

duction by means of mechanical contrivances for the works of British subjects.

2. The operative part of the order accordingly places American authors upon the same footing as British authors in respect of unpublished works, subject to certain conditions.

3. In the case of *published* works the copyright conferred by the British act is dependent upon the place of publication of the work and not upon the nationality of the author; and the order in council contains no provision making first publication in the United States equivalent to first publication in the parts of His Majesty's Dominions to which the act extends . . . American authors, therefore, can still only obtain protection in this country for their published works by first (or simultaneous) publication in the parts of His Majesty's Dominions to which the act extends, or in allied or neutral countries belonging to the International Copyright Union under the provisions of the order in council under the copyright act relating to the foreign countries of the union. Further, the publishers of books by American authors published in the United Kingdom must still comply with the requirements of section 15 of the act as to deposit of copies in certain libraries . . .

Published works

For the Secretary of State:

(Signed) VICTOR WELLESLEY.

The British foreign secretary makes it clear that first or simultaneous publication within British territory is still necessary to secure protection in Great Britain for the American author's *published* work; and such abnormal conditions have grown out of the war that it has become increasingly difficult for American authors to comply with this requirement in order to secure the protection desired. By reason of the same conditions it has also become almost impossible for most English or colonial authors to reset and republish their books in the United States within the brief period of 60 days after the date of original publication in England or the colonies, which is the extreme term allowed by our copyright laws for the remanufacture and republication of such books.

First or simultaneous publication

Some action is called for to remedy the present difficulty confronting American authors who seek copyright protection in Great Britain and the British self-governing dominions. The scarcity of paper in England and the manufacturing difficulties growing out of the war has led to some English authors arranging to first print and publish their books in the United States. As the British law does not require that the author's work be manufactured in Great Britain, but only that it be first or simultaneously pub-

lished there, it seems probable such first American production of the English author's book would become frequent, at least during the continuance of the war, were it not for the threatened loss of his British copyright because of failure to republish in England within the 14 days. In view of the great need now to reduce unnecessary duplication of labor which is required for war production, one edition only should be required to supply the English-reading public, and the compulsory production of a duplicated edition abrogated at least for the period of the war.

Remedy needed

The remedy indicated to benefit both American and British authors is such action as will confer copyright security in all the English-speaking countries from the day the work is first published in any one of them. The statutory requirements of publication and manufacture should be subordinated to this secured protection of the author's literary and artistic property. Protection ought to be guaranteed for all works which have been produced since the beginning of the war, and compliance with these material requirements should be permitted to be delayed until after the war is ended, or some effective modifications agreed upon. American authors and the authors of our allies ought to be granted at least as much grace as Congress has already allowed to our enemy authors.

As the present special embarrassments are mainly due to and are the result of the war, it would seem practicable to propose as a war measure that the President should be authorized by Congress to take such action as in his opinion might be effective in affording relief from these disabilities, and also to deal with any further copyright difficulties which may arise during the continuance of the war.

Copyright proclamations under section 1 (e)

During the fiscal year, the President by proclamation has extended to two additional foreign countries, Australia and France, protection under section 1 (e) of the copyright act of 1909, to secure to authors the control of parts of instruments serving to reproduce mechanically their musical works. On April 3, 1918, a proclamation was issued to extend these rights in the United States to citizens of Australia and the territories of Papua and Norfolk Island in the case of all musical compositions by such citizens published

Australia

and duly registered for copyright in the United States on and after March 15, 1918.

On the same date an order in council by the Governor General of Australia became effective, securing to United States authors protection in Australia, under the provisions of the Australian copyright act of 1912, for their unpublished works registered for copyright in the United States "in like manner as if the authors were British subjects." The full texts of both documents are printed on pages 150-153 of this report.

A proclamation by the President was issued on May 24, 1918, to extend to citizens of France all the benefits of section 1 (e) of the copyright act of 1909, "in the case of all musical compositions by French composers published and duly registered in the United States on and after the date hereof." The reciprocal protection in France of musical works by American authors was made possible by reason of the French law of November 10, 1917, abrogating the earlier French law of May 16, 1866. The President's proclamation is printed on pages 153-154 of this report, and, in order to furnish full information in relation to this interesting and important extension of copyright, the brief texts of both French laws are printed in French and English on pages 155-156.

The President proclaimed on January 25, 1917, the treaty between the United States and Denmark for the purchase of the Danish West Indian Islands, and on March 31, 1917, a presidential proclamation announced the completion of the conditions of sale, including the payment of \$25,000,000. Article 9 of the treaty contains the following provision for the protection of patents and copyrights:

ART. 9. The rights of property secured by copyrights and patents acquired by Danish subjects in the islands ceded at the time of exchange of the ratifications of this treaty shall continue to be respected.

Ratifications were exchanged at Washington on January 17, 1917.

The copyright convention between the United States and other American Republics signed on August 11, 1910, was proclaimed by the President on July 13, 1914, as in effect between the United States and the Dominican Republic,

Guatemala, Honduras, Panama, Nicaragua, and Ecuador; and subsequently the Governments of Bolivia, Brazil, Costa Rica, Paraguay, and Salvador have announced through diplomatic channels the adhesion of those countries to this convention. By article 3 of the convention it is provided that:

The acknowledgment of a copyright obtained in one State, in conformity with its laws, shall produce its effect of full right in all the other States without the necessity of complying with any other formality, provided always there shall appear in the work a statement that indicates the reservation of the property right.

*Exchange of lists
of copyright works*

With a view to securing the greatest practical benefits under the liberal provisions of this convention, the International High Commission, United States Section, has suggested and has arranged through the Department of State for an exchange between the countries which have ratified the convention of such printed publications as contain lists or catalogues of works protected by copyright under the domestic law of each country. For the works protected by copyright in the United States complete lists are regularly published in the Catalogue of Copyright Entries which it is proposed shall be forwarded to the officials in Latin America charged with the administration of the respective laws protecting literary property where the catalogue can be filed for current reference; and it is proposed that the corresponding publications received from the Latin-American countries shall be filed in the Copyright Office for consultation by persons interested. On July 8, 1918, we began forwarding the Catalogue, sending as instructed to the Department of State for transmission to the 15 officials listed below, the various parts of the Catalogue published since January 1, 1918. The succeeding numbers as printed will be forwarded at intervals hereafter. The first transmission included the following parts of the Catalogue: Thirty-six numbers of the list of *books*; three monthly numbers of the index of *pamphlets, dramatic compositions, and motion-picture photoplays*; the first quarterly list of *periodicals*; the first three monthly numbers of the catalogue of *musical compositions*, and the first quarterly catalogue of *works of art* (paintings, drawings and sculpture), *prints* and *photographs*.

The list supplied by the Department of State of officials to each of whom these parts were forwarded is as follows:

- ARGENTINE REPUBLIC: Excmo. Sr. Ministro de Justicia e Instrucción Pública, Buenos Aires.
- BOLIVIA: Excmo. Sr. Ministro de Instrucción Pública, La Paz.
- BRAZIL: Excmo. Sr. Ministro de Justiça e Negócios Interiores, Rio de Janeiro.
- CHILE: Señor Director don Carlos Silva Cruz, Biblioteca Nacional, Santiago de Chile.
- COLOMBIA: Excmo. Sr. Ministro de Instrucción Pública, Bogotá.
- CUBA: Excmo. Sr. Secretario de Instrucción Pública y Bellas Artes, Havana.
- ECUADOR: Excmo. Sr. Ministro de Instrucción Pública, Quito.
- HAITI: M. le Ministre de l'Intérieur, Port-au-Prince.
- HONDURAS: Excmo. Sr. Ministro de Instrucción Pública, Tegucigalpa.
- PANAMA: Sr. don Guillermo Andreve, Secretario de El Registro de la Propiedad Literaria, Panamá.
- PARAGUAY: Excmo. Sr. Ministro de Hacienda, Asunción.
- PERU: Dr. Arturo Perez Figuerola, Director de Ministerio de Fomento, Sección de Registro de Patentes y Marcas de Fábrica, Lima.
- SALVADOR: Excmo. Sr. Ministro de Instrucción Pública, San Salvador.
- URUGUAY: Sr. don Ricardo Sánchez, Director de la Oficina de Patentes de Invención, Marcas de Fábrica, de Comercio y de Agricultura, en Montevideo.
- VENEZUELA: Excmo. Sr. Gobernador del Distrito Federal, Caracas.

Respectfully submitted.

THORVALD SOLBERG
Register of Copyrights

HERBERT PUTNAM
Librarian of Congress

EXHIBIT A—Statement of gross receipts, refunds, net receipts, and fees applied for fiscal year ending June 30, 1918

Month	Gross cash receipts	Refunds	Net receipts	Fees applied
1917				
July.....	\$8,868.32	\$227.25	\$8,641.07	\$8,722.15
August.....	7,223.34	405.00	6,818.34	7,614.75
September.....	8,732.31	221.20	8,511.11	8,367.40
October.....	9,480.27	235.80	9,244.47	9,695.75
November.....	9,241.90	187.93	9,053.97	9,308.80
December.....	10,172.86	107.25	10,065.61	7,964.90
1918				
January.....	10,594.90	171.50	10,423.40	9,723.10
February.....	8,839.82	223.67	8,616.15	7,982.65
March.....	9,182.56	245.92	8,936.64	9,800.75
April.....	9,386.37	380.18	9,006.19	9,822.35
May.....	8,704.68	369.88	8,334.80	8,408.50
June.....	8,678.54	248.37	8,430.17	8,941.30
Total.....	109,105.87	3,023.95	106,081.92	106,352.40

Balance brought forward from June 30, 1917.....	\$10,375.33
Net receipts July 1, 1917, to June 30, 1918:	
Gross receipts.....	\$109,105.87
Less amount refunded.....	3,023.95
	<u>106,081.92</u>
Total to be accounted for.....	116,457.25
Copyright fees applied July 1, 1917, to June 30, 1918.....	106,352.40
Balance carried forward to July 1, 1918:	
Trust funds.....	8,029.55
Unfinished business.....	2,075.30
	<u>116,457.25</u>

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EXHIBIT B—Statement of fees paid into Treasury

Date	Check No.	Amount	Date	Check No.	Amount
1917			1918		
July 9	6628	\$1,000.00	Jan. 7	7545	\$564.90
July 16	6662	2,200.00	Jan. 8	7546	1,600.00
July 23	6717	2,000.00	Jan. 14	7588	2,100.00
July 30	6758	2,400.00	Jan. 21	7612	2,800.00
Aug. 4	6786	1,122.15	Jan. 28	7651	2,200.00
Aug. 6	6789	700.00	Feb. 4	7699	800.00
Aug. 13	6803	2,000.00	Feb. 6	7709	223.10
Aug. 20	6838	1,700.00	Feb. 11	7732	2,200.00
Aug. 27	6868	1,500.00	Feb. 18	7787	2,200.00
Sept. 4	6886	1,200.00	Feb. 25	7817	1,700.00
Sept. 7	6897	514.75	Mar. 4	7862	1,600.00
Sept. 10	6899	800.00	Mar. 6	7870	282.65
Sept. 17	6954	2,300.00	Mar. 11	7885	2,500.00
Sept. 24	6998	2,400.00	Mar. 18	7929	2,700.00
Oct. 1	7067	2,100.00	Mar. 25	7999	1,700.00
Oct. 5	7100	767.40	Apr. 1	8050	2,400.00
Oct. 8	7122	1,700.00	Apr. 6	8107	500.75
Oct. 15	7159	1,800.00	Apr. 8	8115	1,600.00
Oct. 22	7194	2,200.00	Apr. 15	8168	2,500.00
Oct. 29	7237	1,800.00	Apr. 22	8219	2,500.00
Nov. 5	7294	1,800.00	Apr. 29	8312	1,800.00
Nov. 7	7315	395.75	May 6	8363	1,422.35
Nov. 12	7336	2,200.00	May 13	8487	3,000.00
Nov. 19	7371	2,500.00	May 20	8535	2,000.00
Nov. 26	7397	2,200.00	May 27	8564	2,000.00
Dec. 3	7414	2,200.00	June 3	8620	1,400.00
Dec. 6	7425	208.80	June 7	8654	8.50
Dec. 10	7438	1,500.00	June 10	8666	1,800.00
Dec. 17	7475	2,400.00	June 17	8731	2,400.00
Dec. 24	7501	2,100.00	June 24	8780	2,200.00
Dec. 31	7521	1,400.00	July 1	8815	2,100.00
			July 3	8825	441.30
			Total		106,352.40

EXHIBIT C—Record of applied fees

Month	Number of registrations, including certificate	Fees at \$1 each	Number of registrations, photographs, no certificate	Fees at 50 cents each	Number of renewal registrations	Fees at 50 cents each	Total number of registrations	Total fees for registrations
1917								
July.....	8,273	\$8,273.00	321	\$160.50	23	\$11.50	8,617	\$8,445.00
August.....	7,192	7,192.00	403	201.50	48	24.00	7,643	7,417.50
September.....	8,007	8,007.00	357	178.50	33	16.50	8,397	8,202.00
October.....	9,267	9,267.00	347	173.50	35	17.50	9,649	9,458.00
November.....	8,526	8,526.00	466	233.00	222	111.00	9,214	8,870.00
December.....	7,436	7,436.00	320	160.00	118	59.00	7,874	7,655.00
1918								
January.....	9,092	9,092.00	584	292.00	263	131.50	9,939	9,515.50
February.....	7,429	7,429.00	410	205.00	227	113.50	8,066	7,747.50
March.....	8,953	8,953.00	970	485.00	186	93.00	10,109	9,531.00
April.....	9,087	9,087.00	390	195.00	524	262.00	10,001	9,544.00
May.....	7,949	7,949.00	293	146.50	110	55.00	8,352	8,150.50
June.....	8,446	8,446.00	353	176.50	68	34.00	8,867	8,656.50
Total.....	99,657	99,657.00	5,214	2,607.00	1,857	928.50	106,728	103,192.50

Month	Copies of record	Fees at 50 cents each	Assignments and copies	Fees for assignments	Notice of user in re music	Fees for notice of user	Indexing transfers of proprietor	Fees at 10 cents each	Search fees	Total applied fees
1917										
July.....	112	\$56.00	123	\$174.00	36	\$18.00	49	\$4.90	\$31.00	\$8,722.15
August.....	84	42.00	67	140.00	34	17.00	5	.50	3.50	7,614.75
September.....	67	33.50	73	110.00	38	19.00	14	7.00	6.00	8,367.40
October.....	70	35.00	49	97.50	57	28.50	55	5.50	4.00	9,695.75
November.....	89	44.50	178	356.00	54	27.00	1,478	147.80	25.00	9,308.80
December.....	56	28.00	155	315.00	35	17.50	614	61.40	13.50	7,964.90
1918										
January.....	98	49.00	98	196.00	58	29.00	16	1.60	4.00	9,723.10
February.....	136	68.00	114	228.00	45	22.50	34	3.40	.50	7,982.65
March.....	125	62.50	97	194.00	44	22.00	410	41.00	9.00	9,800.75
April.....	169	84.50	126	252.00	33	16.50	46	4.60	8.00	9,822.35
May.....	113	56.50	141	282.00	44	22.00	100	10.00	2.50	8,408.50
June.....	184	92.00	148	296.00	41	20.50	13	1.30	2.50	8,941.30
Total.....	1,303	651.50	1,369	2,938.00	519	259.50	2,834	283.40	109.50	106,352.40

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EXHIBIT D—Comparative monthly statement of gross cash receipts, applied fees, number of registrations, daily averages, etc.

Month	Monthly receipts	Applied fees	Number of registrations and comparison with last year			
			Totals	Increase	Decrease	Daily average
1917						
July	\$8,868.32	\$8,722.15	8,617	1,602		344
August	7,223.34	7,614.75	7,643		3,250	283
September	8,732.31	8,367.40	8,397		434	350
October	9,480.27	9,695.75	9,649	344		357
November	9,241.90	9,308.80	9,214	588		368
December	10,172.86	7,964.90	7,874		1,356	315
1918						
January	10,594.90	9,723.10	9,939		938	382
February	8,839.82	7,982.65	8,066		762	351
March	9,182.56	9,800.75	10,109		4	389
April	9,386.37	9,822.35	10,081	934		384
May	8,704.68	8,408.50	8,352		836	321
June	8,678.54	8,941.30	8,867		598	354
Total	109,105.87	106,352.40	106,728			

EXHIBIT E—Statement of gross cash receipts, yearly fees, number of registrations, etc., for 21 fiscal years

Year	Gross receipts	Yearly fees	Number of registrations	Increase in registrations	Decrease in registrations
1897-98	\$61,099.56	\$55,926.50	75,545		
1898-99	64,185.65	58,267.00	80,968	5,423	
1899-1900	71,072.33	65,206.00	94,798	13,830	
1900-1901	69,525.25	63,687.50	92,351		2,447
1901-2	68,405.08	64,687.00	92,978		627
1902-3	71,533.91	68,874.50	97,979	5,001	
1903-4	75,302.83	72,629.00	103,130	5,151	
1904-5	80,440.56	78,058.00	113,374	10,244	
1905-6	82,610.92	80,198.00	117,704	4,330	
1906-7	87,384.31	84,685.00	123,829	6,125	
1907-8	85,042.03	82,387.50	119,742		4,087
1908-9	87,085.53	83,816.75	120,131	389	
1909-10	113,662.83	104,644.95	109,074		11,057
1910-11	113,661.52	109,913.95	115,198	6,124	
1911-12	120,149.51	116,685.05	120,931	5,733	
1912-13	118,968.26	114,980.60	119,495		1,436
1913-14	122,636.92	120,219.25	123,154	3,659	
1914-15	115,594.55	111,922.75	115,193		7,961
1915-16	115,663.42	112,986.85	115,967	774	
1916-17	113,808.51	110,077.40	111,438		4,529
1917-18	109,105.87	106,352.40	106,728		4,710
Total	1,946,939.35	1,866,205.95	2,269,707		

NOTE.—Detailed statement for 18 fiscal years, 1897-98, etc., to 1914-15, by months, may be found in Annual Report of Register of Copyrights for year 1914-15 (pp. 177-178, Report of the Librarian of Congress for 1914-15). For subsequent years see the respective annual reports.

EXHIBIT F—Table of registrations made during fiscal years 1912-13, 1913-14, 1914-15, 1915-16, 1916-17, and 1917-18, arranged by classes *

	1912-13	1913-14	1914-15	1915-16	1916-17	1917-18
Class A. Books (including pamphlets, leaflets, and contributions to periodicals):						
(a) Printed in the United States	26,784	28,591	29,704	31,312	32,364	32,744
(b) Printed abroad in a foreign language.....	2,369	2,860	1,843	1,276	914	636
(c) English books registered for ad interim copyright.....	419	440	379	309	274	237
Total.....	29,572	31,891	31,926	32,897	33,552	33,617
Class B. Periodicals (numbers).....	23,002	24,134	24,938	26,553	26,467	25,822
Class C. Lectures, sermons, addresses.....	185	159	142	157	159	152
Class D. Dramatic or dramatic-musical compositions....	3,700	3,957	3,797	3,223	3,067	2,711
Class E. Musical compositions.....	26,292	28,493	21,406	20,644	20,115	21,849
Class F. Maps.....	2,011	1,950	1,772	1,612	1,529	1,269
Class G. Works of art; models or designs.....	2,871	3,021	2,965	2,220	2,247	1,858
Class H. Reproductions of works of art.....	13	3	0	0	0	2
Class I. Drawings or plastic works of a scientific or technical character.....	462	339	513	445	512	483
Class J. Photographs.....	12,778	10,390	10,523	10,626	7,564	6,109
Class K. Prints and pictorial illustrations.....	16,591	15,438	12,935	12,722	11,514	9,161
Class L. Motion-picture photoplays.	892	2,039	2,757	2,934	2,410	1,587
Class M. Motion pictures not photoplays.....	61	109	193	306	310	251
Renewals.....	1,065	1,231	1,326	1,628	1,992	1,857
Total.....	119,495	123,154	115,193	115,967	111,438	106,728

* For detailed statement of registrations made for fiscal years from 1901 to 1911-12 see Annual Report of Register of Copyrights for 1914-15.

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EXHIBIT C—Table of articles deposited during 1914-15, 1915-16, 1916-17, and 1917-18 with totals of articles deposited for years 1897-8 to 1917-18.

	1914-15	1915-16	1916-17	1917-18	Total 1897-1918
1. Books:					
(a) Printed in the United States:					
Volumes.....	20,296	20,675	20,708	19,756
Pamphlets, leaflets, etc.....	25,696	25,682	26,910	24,761
Contributions to newspapers and periodicals.....	6,886	8,251	9,040	10,699
Total.....	52,878	54,608	56,658	55,216
(b) Printed abroad in a foreign language:					
English works registered for ad in- terim copyright.....	1,894	1,197	931	640
Total.....	380	299	274	237
Total.....	55,152	56,104	57,863	56,093	1,017,793
2. Periodicals.....	49,696	52,922	53,382	51,644	901,938
3. Lectures, sermons, etc.....	142	157	159	152	1,278
4. Dramatic or dramatic-musical compo- sitions.....	4,136	3,610	3,352	2,961	64,599
5. Musical compositions.....	40,437	33,552	32,045	34,874	921,670
6. Maps.....	3,530	3,226	3,058	2,520	74,038
7. Works of art; models or designs.....	2,969	2,227	2,247	1,858	62,228
8. Reproductions of works of art.....	0	0	0	4	2,034
8a. Chromos and lithographs.....					48,712
9. Drawings or plastic works of a scientific or technical character.....	682	646	814	772	5,481
10. Photographs.....	19,357	18,785	13,947	11,810	504,248
11. Prints and pictorial illustrations.....	20,811	19,265	18,031	14,411	373,567
12. Motion-picture photoplays.....	6,596	10,784	10,110	8,513	41,437
13. Motion pictures not photoplays.....	259	524	619	438	2,222
14. Miscellaneous (unclassified articles).....					778
15. Foreign books received under act of Mar. 3, 1905.....					2,527
Total.....	203,767	201,802	195,627	186,050	4,024,533

NOTE.—For detailed statement of articles deposited during fiscal years 1897-8 to 1913-14 see Annual Report of Register of Copyrights for 1914-15.
The classification "Chromos and lithographs" is not given in law after July 1, 1909.

ADDENDUM I

COPYRIGHT BILLS

(65th Cong., 1st sess. H. R. 5825. In the House of Representatives. Aug. 24, 1917.) *Bill H. R. 5129*

Mr. McKEOWN introduced the following bill, which was referred to the Committee on Patents and ordered to be printed.

A BILL regulating the issuance of copyrights, and so forth, to authors, writers, correspondents, and others who have gained certain information while in the employment of and under pay from the Government.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no copyright, patent, or other protection from the United States shall hereafter be granted by this Government to any author, writer, correspondent, or other person who seeks such protection for any article, book, publication, or printed or written matter, who gained the information, facts, conclusions, or impressions for such publication while acting as the representative or employee of the Government of the United States. The prohibition of this act shall apply to any such person or persons seeking copyright or protection, whether or not at the time of such application he or they shall be in the employ of the Government.

(65th Cong., 2d sess. S. 3983. In the Senate of the United States. Feb. 28, 1918.) *Bill S. 3083*

Mr. FLETCHER introduced the following bill, which was read twice and referred to the Committee on Patents.

A BILL to protect Government documents by copyright.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Government of the United States shall have copyright for any Government document or work made the subject of copyright by the act of March fourth, nineteen hundred and nine, or by any other act now in force or which may hereafter be enacted, for the terms specified therein. Such copyright shall be secured by printing or publishing upon each copy of such document or work issued or published the words "United States Government, copyright reserved." Such copyright may thereafter be released by publishing upon any copy of such work or document issued or published the words "United States Government, copyright released."

SEC. 2. That any person who shall infringe any copyright secured by the United States Government under this act, or shall aid or abet such infringement, shall be punished by imprisonment not exceeding two years or by a fine of not less than \$100 nor more than \$10,000, or both, in the discretion of the court.

ADDENDUM II

COPYRIGHT—AUSTRALIA AND TERRITORIES OF PAPUA
AND NORFOLK ISLAND

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

U. S. copyright act of Mar. 4, 1909 Whereas it is provided by the act of Congress of March 4, 1909, entitled "An act to amend and consolidate the acts respecting copyright," that the provisions of said act, "so far as they secure copyright, controlling the parts of instru-

Sec. 1 (e). Mechanical musical reproduction ments serving to reproduce mechanically the musical work, shall include only compositions published and copyrighted after this act goes into effect, and shall not include the works of a foreign author or composer unless the foreign state or nation of which such author or composer is a citizen or subject grants, either by treaty, convention, agreement, or law, to citizens of the United States similar rights";

Sec. 8. Foreign authors who may secure protection And whereas it is further provided that the copyright secured by the act shall extend to the work of an author or proprietor who is a citizen or subject of a foreign state or nation only upon certain conditions set forth in section 8 of said act, to wit:

Alien authors domiciled in U. S. (a) When an alien author or proprietor shall be domiciled within the United States at the time of the first publication of his work; or

Countries granting reciprocal rights (b) When the foreign state or nation of which such author or proprietor is a citizen or subject grants, either by treaty, convention, agreement, or law, to citizens of the United States the benefit of copyright on substantially the same basis as to its own citizens, or copyright protection substantially equal to the protection secured to such foreign author under this act or by treaty; or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States may, at its pleasure, become a party thereto:

Proclamation of the President And whereas it is also provided by said section that "The existence of the reciprocal conditions aforesaid shall be determined by the President of the United States, by proclamation made from time to time as the purposes of this act may require":

Order in council effective Mar. 15, 1918 And whereas there has been received from the Government of Great Britain satisfactory official assurance that the Government of Australia has issued an order in council,

effective March 15, 1918, providing that the existing copyright law of that country and the territories of Papua and Norfolk Island, including the provisions as to existing works, shall, subject to the provisions of the said law and of the said order, apply—

Australia copyright act, 1912

(a) to literary, dramatic, musical, and artistic works the authors whereof were at the time of the making of the works citizens of the United States of America in like manner as if the authors were British subjects:

Subject matter of copyright

(b) in respect of residence in the United States of America, in like manner as if such residence had been residence in the Commonwealth of Australia and the territories of Papua and Norfolk Island:

Residence

Provided that—

(i) the term of copyright within the Commonwealth of Australia and the territories of Papua and Norfolk Island shall not exceed that conferred by the law of the United States of America;

Term of copyright

(ii) the enjoyment of the rights conferred by this order shall be subject to the accomplishment of the conditions and formalities prescribed by the law of the United States of America;

Formalities and conditions

(iii) in the application to existing works of the provisions of section 24 of the imperial copyright act, 1911, the commencement of this order shall be substituted for the 26th of July, 1910, in subsection 1 (b).

Existing works

Now, therefore, I, Woodrow Wilson, President of the United States of America, do declare and proclaim that one of the alternative conditions specified in section 8 (b) of the act of March 4, 1909, now exists and is fulfilled in respect to the citizens of Australia and the territories of Papua and Norfolk Island, and that such citizens shall be entitled to all the benefits of section 1 (e) of the said act, including "copyright controlling the parts of instruments serving to reproduce mechanically the musical work" in the case of all musical compositions by composers of Australia and the territories of Papua and Norfolk Island published and duly registered in the United States on and after March 15, 1918, for copyright in the United States.

Proclamation

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Effective Mar. 15, 1918

Done in the District of Columbia this third day of April, in the year of Our Lord one thousand nine hundred [SEAL] and eighteen, and of the independence of the United States of America the one hundred and forty-second.

Execution

Date of proclamation, Apr. 3, 1918

WOODROW WILSON

By the President:

ROBERT LANSING

Secretary of State

Provided that—

(i) the term of copyright within the Commonwealth of Australia and territories of Papua and Norfolk Island shall not exceed that conferred by the law of the United States of America; *Term of copyright*

(ii) the enjoyment of the rights conferred by this order shall be subject to the accomplishment of the conditions and formalities prescribed by the law of the United States of America; *Conditions and formalities*

(iii) in the application to existing works of the provisions of section 24 of the imperial copyright act, 1911, the commencement of this order shall be substituted for the 20th July, 1910, in subsection 1 (b). *Existing works*

(2) This order shall come into operation on the fifteenth day of March, 1918, which day is in this order referred to as the commencement of this order. *Effective Mar. 15, 1918*

By His Excellency's command,

W. M. HUGHES
Attorney-General

ADDENDUM III

COPYRIGHT—FRANCE

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Whereas it is provided by the act of Congress of March 4, 1909, entitled "An act to amend and consolidate the acts respecting copyright," that the provisions of said act, "so far as they secure copyright controlling the parts of instruments serving to reproduce mechanically the musical work, shall include only compositions published and copyrighted after this act goes into effect, and shall not include the works of a foreign author or composer unless the foreign state or nation of which such author or composer is a citizen or subject grants, either by treaty, convention, agreement, or law, to citizens of the United States similar rights": *U. S. copyright act, Mar. 4, 1909*
Sec. 1 (e), Mechanical musical reproduction

And whereas it is further provided that the copyright secured by the act shall extend to the work of an author or proprietor who is a citizen or subject of a foreign state or nation, only upon certain conditions set forth in section 8 of said act, to wit: *Sec. 8. Foreign author entitled to copyright*

(a) When an alien author or proprietor shall be domiciled within the United States at the time of the first publication of his work; or *Alien author domiciled in U. S.*

*Countries grant-
ing reciprocal
rights*

(b) When the foreign state or nation of which such author or proprietor is a citizen or subject grants, either by treaty, convention, agreement, or law, to citizens of the United States the benefit of copyright on substantially the same basis as to its own citizens, or copyright protection substantially equal to the protection secured to such foreign author under this act or by treaty; or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States may at its pleasure, become a party thereto;

*International
agreement*

*Reciprocal con-
ditions determin-
able*

And whereas it is also provided by said section that "The existence of the reciprocal conditions aforesaid shall be determined by the President of the United States, by proclamation made from time to time as the purposes of this act may require:"

*France protects
U. S. citizens*

And whereas satisfactory official assurance has been given that in France the law now permits to citizens of the United States similar rights to those accorded in section 1 (e) of the act of March 4, 1909:

*Proclamation of
the President*

Now, therefore, I, Woodrow Wilson, President of the United States of America, do declare and proclaim that one of the alternative conditions specified in section 8 (b) of the act of March 4, 1909, now exists and is fulfilled in respect to citizens of France, and that the citizens of that country are entitled to all the benefits of section 1 (e) of the said act, including "copyright controlling the parts of instruments serving to reproduce mechanically the musical work" in the case of all musical compositions by French composers published and duly registered in the United States on and after the date hereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed:

*Date of procla-
mation, May 24,
1918*

Done in the District of Columbia this twenty-fourth day of May, in the year of our Lord one thousand [SEAL.] nine hundred and eighteen and of the Independence of the United States of America the one hundred and forty-second.

WOODROW WILSON

By the President:

ROBERT LANSING

Secretary of State.

FRANCE: *Laws of 1866 and 1917 relating to mechanical musical instruments*

[French and English texts.]

LOI RELATIVE AUX INSTRUMENTS DE MUSIQUE MÉCANIQUES.
16 MAI 1866

ARTICLE UNIQUE. La fabrication et la vente des instruments servant à reproduire mécaniquement des airs de musique qui sont du domaine privé, ne constituent pas le fait de contrefaçon musicale prévu et puni par la loi du 19 juillet 1793, combinée avec les articles 425 et suivants du Code pénal.

French text, 1866

LOI PORTANT ABROGATION DE LA LOI DU 16 MAI 1866 SUR
LA FABRICATION ET LA VENTE DES INSTRUMENTS DE
MUSIQUE MÉCANIQUES, 10 NOVEMBRE 1917

French text, 1917

Le Sénat et la Chambre des députés ont adopté,
Le Président de la République promulgue la loi dont la teneur suit:

ART. 1^{er}. La loi du 16 mai 1866, relative aux instruments de musiques mécaniques, est abrogée.

ART. 2. Sera néanmoins licite la reproduction, par des instruments de musique mécaniques, des airs de musique qui auront été adaptés à des instruments de cette nature avant la mise en vigueur de la présente loi.

Continuera à être dispensée de toute autorisation du compositeur ou de ses ayants cause la reproduction, par des jouets dits "boîtes à musique" ou instruments analogues, d'airs incomplets, au moyen de cylindres n'ayant pas plus de dix centimètres (0 m. 10) de longueur et cinq centimètres (0 m. 05) de diamètre.

ART. 3. Dans le délai de deux mois qui suivra la promulgation de la présente loi, les fabricants d'instruments de musique mécaniques, les fabricants ou éditeurs de parties séparées destinées à des instruments de ce genre, remettront au Ministre des Beaux-Arts un catalogue exact et complet des airs de musique adaptés par eux antérieurement à cette promulgation ou faisant partie du fonds de commerce par eux exploité.

L'administration des Beaux-Arts arrêtera la liste générale de ces airs, qui sera publiée au *Journal officiel*. Aucun air de musique ne bénéficiera de l'immunité stipulée à l'article 2 ci-dessus, s'il ne figure sur cette liste générale, à moins que la preuve ne soit apportée par le fabricant qu'il y a été indûment omis. Les auteurs, de leur côté, conserveront la faculté de faire la preuve qu'un air figurant sur cette liste n'avait pas fait l'objet d'une adaptation avant la promulgation de la loi.

ART. 4. Les infractions aux dispositions de la présente loi sont soumises aux dispositions des articles 425 et suivants du Code pénal.

France. Law of 1866, English text
LAW RELATING TO MECHANICAL MUSICAL INSTRUMENTS,
MAY 16, 1866

SINGLE ARTICLE.—The manufacture and sale of instruments serving to reproduce mechanically musical airs in the private domain do not constitute musical infringement as provided for and punished by the law of July 19, 1793, together with articles 425 *et seq.* of the Penal Code.

France. Law of 1917, English text
LAW ABROGATING THE LAW OF MAY 16, 1866, CONCERNING
THE MANUFACTURE AND SALE OF MECHANICAL MUSICAL
INSTRUMENTS, NOVEMBER 10, 1917

The Senate and the Chamber of Deputies have adopted,
The President of the Republic promulgates the following
law:

ARTICLE 1. The law of May 16, 1866, relating to mechanical musical instruments, is abrogated.

ART. 2. The reproduction by mechanical musical instruments of musical airs which shall have been arranged for such instruments before the present law goes into effect, will, however, be permitted.

Authorization will not be required from the composer or his representatives for the reproduction by toys called "musical boxes," or similar instruments, of incomplete airs by means of cylinders of not more than ten centimeters (0 m.10) in length and five centimeters (0 m.05) in diameter.

ART. 3. Within two months after the promulgation of the present law, the manufacturers of mechanical musical instruments, the manufacturers or publishers of separate parts intended for such instruments, shall send to the Minister of Fine Arts an exact and complete catalogue of the musical airs adapted by them before this promulgation or constituting a part of the commercial stock handled by them. The Ministry of Fine Arts shall prepare a general list of these airs, which shall be published in the *Journal officiel*. No musical air will enjoy the benefit of the protection stipulated in article 2 above, if it does not appear in the general list, unless proof is furnished by the manufacturer that it was improperly omitted. Authors, on their part, will retain the right to prove that an air appearing in this list had been adapted before the promulgation of the law.

ART. 4. Violations of the provisions of the present law are subject to the provisions of articles 425 *et seq.* of the Penal Code.