

LIBRARY OF CONGRESS
COPYRIGHT OFFICE

Report
OF THE
Register of Copyrights
FOR THE
Fiscal Year 1916-1917

[Reprinted from the Report of the Librarian of Congress]



WASHINGTON
GOVERNMENT PRINTING OFFICE
1917

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. 66 pp. 8°. 1917.

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 With Addenda of previous copyright acts not repealed.] 54 pp. 8°. 1914.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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**REPORT OF THE REGISTER OF COPYRIGHTS FOR THE
FISCAL YEAR 1916-17**

WASHINGTON, D. C., July 6, 1917.

SIR: The copyright business and the work of the Copyright Office for the fiscal year July 1, 1916, to June 30, 1917, inclusive, are summarized as follows:

RECEIPTS

The gross receipts during the year were \$113,808.51. A balance of \$9,222.53, representing trust funds and unfinished business, was on hand July 1, 1916, making a total of \$123,031.04 to be accounted for. Of this amount the sum of \$2,578.31 received by the Copyright Office was refunded as excess fees or as fees for articles not registrable, leaving a net balance of \$120,452.73. The balance carried over to July 1, 1917, was \$10,375.33 (representing trust funds, \$8,188.70, and total unfinished business since July 1, 1897—20 years—\$2,186.63), leaving fees applied during the fiscal year 1916-17 and paid into the Treasury \$110,077.40.

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	1908-9.....	\$83,816.75
1898-99.....	58,267.00	1909-10.....	104,644.95
1899-1900.....	65,206.00	1910-11.....	109,913.95
1900-1901.....	63,687.50	1911-12.....	116,685.05
1901-2.....	64,687.00	1912-13.....	114,980.60
1902-3.....	68,874.50	1913-14.....	120,219.25
1903-4.....	72,629.00	1914-15.....	111,922.75
1904-5.....	78,058.00	1915-16.....	112,986.85
1905-6.....	80,198.00	1916-17.....	110,077.40
1906-7.....	84,685.00		
1907-8.....	82,387.50		
		Total.....	1,759,853.55

EXPENDITURES

Salaries

The appropriation made by Congress for salaries in the Copyright Office for the fiscal year ending June 30, 1917, was \$104,440. The total expenditures for salaries was \$103,708.09, or \$6,369.31 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 \$1,059.31.

Copyright receipts and fees

During the 20 fiscal years since the reorganization of the Copyright Office (from July 1, 1897, to June 30, 1917) the copyright fees applied and paid into the Treasury have amounted to \$1,759,853.55, and the articles deposited number 3,838,483; and the total copyright registrations have exceeded two millions (2,162,979).

Excess of fees over salaries

The fees (\$1,759,853.55) were larger than the appropriations for salaries used during the same period (\$1,512,795.84) by \$247,057.71.

Value of copyright deposits

In addition to this direct profit, a large number of the 3,838,483 books, maps, musical works, periodicals, prints, and other articles deposited during the 20 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 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 111,438. Of these, 103,226 were registrations at \$1 each, including a certificate, and 6,220 were registrations of photographs without certificates, at 50 cents each. There were also 1,992 registrations of renewals, at 50 cents each. The fees for these registrations amounted to a total of \$107,332.

The number of registrations in each class from July 1, 1911, to June 30, 1917, as compared with the number of entries made the previous year, is shown in Exhibit F.

COPYRIGHT DEPOSITS

Articles deposited

The various articles deposited in compliance with the copyright law which have been registered, stamped, in-

dexed, and catalogued during the fiscal year amount to 195,627. The number of these articles in each class for the 20 fiscal years is shown in Exhibit G.

The copyright act which went into force on July 1, 1909, provides for the gradual elimination of the accumulated copyright deposits (secs. 59 and 60). During the year books desired for the Library to the number of 6,598 volumes (including 1,134 foreign books and pamphlets) have been forwarded through the Order Division. These selected books were in addition to the "first" copies of copyright books sent forward as received from day to day, numbering 11,579 for the fiscal year. In addition, there has been transferred upon the Librarian's order a collection of books and pamphlets relating to American poetry and printed dramas by American authors, numbering 942 pieces, thus making a total of 19,119 books and pamphlets delivered to the Library from the Copyright Office during the year.

Of musical compositions 32,045 were deposited and registered during the year, and of these 19,049 were selected and transferred to the Music Division. There were also transferred 1,418 musical compositions that were registered prior to 1909 under the old law. All of the 1,529 maps registered during the year were placed in the Map Division. Out of the total of 19,078 photographs, engravings, and other "pictorial illustrations" entered, 3,480 were selected and forwarded to the Print Division for permanent deposit. Of the 25 daily newspapers registered, both copies of 17 (8 being rejected) were promptly sent to the Periodical Division, and 1,254 magazines and periodicals, including weekly newspapers, out of the 1,647 different journals received, were also transferred to that division; while the copies received in the case of 393 of the least important publications, registered under the designation "periodical," have been returned during the year to the copyright claimants, not being required by the Library.

The act of March 4, 1909 (sec. 59), provides for the transfer to other "governmental libraries" in the District of Columbia "for use therein" of such copyright deposits as are not required by the Library of Congress, and during the present fiscal year 5,081 books were selected by the librarians and thus transferred to the libraries of the following: De-

TRANSFERRED TO
LIBRARY:
Books

American poetry
and drama

Musical compos-
itions

Maps, etc.

Newspapers
and magazines

Books trans-
ferred to other libra-
ries

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partments (Agriculture, Commerce, Navy, and Treasury); Bureaus (Education, Fisheries, Mines, Standards); Engineer School, Federal Trade Commission, Hygienic Laboratory, Internal Revenue Office, and the Public Library of the District of Columbia.

Return of deposits to copyright claimants

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 required by the Library or Copyright Office. 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, 9,649 motion-picture films have been returned to the copyright claimants, and of the current deposits not needed by the Library of Congress the following have also been so returned: 15,464 "books" (pamphlets, leaflets, etc.), 398 photographs, 16,963 prints, 11,326 periodicals, 3,415 pieces of music; a total of 57,215 pieces. The total number of articles thus transferred during the year or returned to the copyright claimants amounts to nearly one hundred and fifty thousand pieces (147,912).

Requests for copies

In response to inquiries received during the year from the Card Section, the Order Division, and the Reading Room in regard to 342 books supposed to have been copyrighted but not found in the Library, it was discovered that 22 of these works were actually in the Library, 53 of the books had been deposited and were still in the Copyright Office, 55 works were either not published, did not claim copyright, or for other reasons could not be deposited, and in the case of 53 works no answers to our letters of inquiry had been received up to June 30, 1917. Copies were received of 159 works in all in response to requests made by the Copyright Office during the period of twelve months for the works published in recent years.

THE COPYRIGHT INDEX AND CATALOGUE, BULLETINS, AND CIRCULARS

Index cards

The copyright registrations are indexed upon cards. The cards made are first used as copy for the printed catalogue and after printing are added to the permanent card indexes of the copyright entries.

The Catalogue of Copyright Entries has been continued, *Catalogue of Copyright Entries* as required by law, by the publication of five volumes for the calendar year 1916, containing a total of 7,074 pages of text and indexes.

Each part of the catalogue is sold separately at a nominal annual subscription rate within the maximum price established by law, as follows:

Part 1, groups 1 and 2, books and pamphlets, etc.....	\$1.00
Part 2, periodicals.....	.50
Part 3, musical compositions.....	1.00
Part 4, works of art, photographs, etc.....	.50

The price of the entire catalogue is \$3 for the year. The subscriptions, by express provisions of the copyright act, are required to be paid to the Superintendent of Documents (Office of the Public Printer, Washington, D. C.), and all subscriptions must be for the complete year for each part desired.

Copyright Office Bulletin No. 14 was reprinted during the year (66 pp. 8°), the added matter being the *full text* of the three acts amendatory of the copyright act of March 4, 1909, namely the acts approved August 24, 1912, March 2, 1913, and March 28, 1914. *Bulletins*

The copyright order in council of New Zealand, issued on February 2, 1916, at Wellington, and the presidential proclamation of February 9, 1917 (both effective on December 1, 1916), were printed as Information Circular No. 56. (5 pp. 8°.) *Circulars*

The printing of the Catalogue of Dramatic Compositions copyrighted in the United States, 1870-1916, is nearing completion. The list and its supplement make 2,831 pages, of which 2,526 have been issued in signatures and the remaining 305 are in proof. The index to the volumes is now ready and at the printer's. *Catalogue of dramas: 1870-1916*

Bulletin no. 17, containing decisions of United States courts involving copyrights will be followed by Bulletin no. 18, continuing the series and including not only Federal decisions, but also cases decided in the State courts as well as departmental opinions relating to the law of literary property and kindred subjects. This publication is now in type and will shortly be ready for distribution in a cloth-bound volume of more than 500 pages, which can be subscribed for at a nominal price.

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SUMMARY OF COPYRIGHT BUSINESS

<i>Summary of</i>	Balance on hand July 1, 1916.....	\$9,222.53	
<i>copyright business</i>	Gross receipts July 1, 1916, to June 30, 1917.....	113,808.51	
	Total to be accounted for.....	123,031.04	
	Refunded.....	2,578.31	
	Balance to be accounted for.....		\$120,452.73
	Applied as earned fees.....	110,077.40	
	Balance carried over to July 1, 1917:		
	Trust funds.....	\$8,188.70	
	Unfinished business July 1, 1897, to June 30, 1917, 20 years.....	2,186.63	
		10,375.33	
			120,452.73
	Total fees earned and paid into Treasury during the 20 years from July 1, 1897, to June 30, 1917.....		1,759,853.55
	Total unfinished business for 20 years.....		2,186.63

FEEs FOR FISCAL YEAR

<i>Fees</i>	Fees for registrations, including certificates, at \$1 each.....	\$103,226.00	
	Fees for registrations of photographs with- out certificates, at 50 cents each.....	3,110.00	
	Fees for registrations of renewals, at 50 cents each.....	996.00	
	Total fees for registrations recorded.....		107,332.00
	Fees for certified copies of record, at 50 cents each.....	859.00	
	Fees for recording assignments.....	1,469.00	
	Searches made and charged for at the rate of 50 cents for each hour of time consumed.....	158.00	
	Notices of user recorded (Music).....	152.00	
	Indexing transfers of proprietorship.....	107.40	
			2,745.40
	Total fees for fiscal year 1916-17.....		110,077.40

ENTRIES

<i>Entries</i>	Number of registrations.....	109,446	
	Number of renewals recorded.....	1,992	
			111,438
	Number of certified copies of record.....	1,718	
	Number of assignments recorded or copied.....	1,013	

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 139,062, while the letters, parcels, etc., dispatched numbered 146,332. Letters received transmitting remittances numbered 42,354, including money orders to the number of 28,160. During the last 20 fiscal years the money orders received numbered more than half a million (536,990).

Correspondence.

CONDITION OF COPYRIGHT OFFICE WORK

(a) *Current work*

On July 6, 1917, the remittances received up to the third mail of the day had been recorded. The account books of the bookkeeping division were written up and posted to June 30, and the accounts rendered to the Treasury Department were settled up to and including the month of June, while earned fees to June 30, inclusive, had been paid into the Treasury.

Condition of current work

All copyright applications received up to and including June 30 had been passed upon and refunds made. The unfinished business amounted on June 30, 1917, to \$2,186.63. Of this, however, a large sum 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 6, 1917, of the works deposited for copyright registration up to and including June 30 all had been recorded except 213 entries in Class A and 107 in Class B. Assignments to the number of 10 were in hand unrecorded. There remained to be indexed: Class A, Books, 275; Class D, Dramas, 8; Class E, Music, 674; Class F, Maps, 20; Class G, Works of Art, 80; Class K, Prints, 130.

COPYRIGHT LEGISLATION AND INTERNATIONAL COPYRIGHT RELATIONS

I. Legislation

The Sixty-fourth Congress closed without action by the Senate on the two copyright bills described in my last year's report (pp. 185-188), which had been passed by the House and referred to the Senate Committee on Patents, namely, H. R. 8356 and H. R. 13981.

Copyright bills

*Bill H. R. 8356;
Bill H. R. 13981*

On August 4, 1916, a bill was introduced in the House of Representatives by Hon. George S. Graham (H. R. 17294, 64th Cong., 1st sess.)¹ to provide a remedy for failure to make deposit of the required copies within the time fixed by the statute, by legalizing such deposits made prior to January 1, 1917. The bill was referred to the House Committee on Patents.

Two copyright bills have been reintroduced during the first session of the Sixty-fifth Congress. On April 3, 1917, Hon. Charles B. Smith, of New York, presented (as H. R. 343)² his former bill (H. R. 13348—see my Annual Report for 1915-16, p. 190) amending section 25 of the act of 1909 to provide that the maximum damages for infringement by a newspaper reproduction of a copyrighted *photograph, print, or pictorial illustration* shall be \$250; and amending section 40, providing for the costs of a suit to add the proviso "that if only the minimum amount specified in this act for damages shall be awarded, each party shall pay his own costs." The bill was referred to the Committee on Patents and ordered to be printed.

On the same day (Apr. 3, 1917) Hon. Luther W. Mott presented the bill (H. R. 365)³ proposing to add to the list of classes of copyright works named in section 5 of the Copyright Act of March 4, 1909, "Labels, trade-marks, firm names, and special designs, pictures, prints, wrappers, cartons, containers, and advertisements which are specifically created for individual trades, manufactures, or businesses, engraved, printed, colored, or produced in any manner whatsoever." The bill was referred to the Committee on Patents and ordered to be printed.

Designs copy-right In my last year's report (pp. 194-195) I reported on various bills which had been presented to Congress up to April 15, 1916, proposing legislation to secure copyright

¹ 1916 (Aug. 4). A bill relating to copyrights. Presented by Mr. Graham. H. R. bill 17294. 64th Cong., 1st sess. Printed, 2 pp. 4°. [Referred to the Committee on Patents.]

² 1917 (Apr. 3). A bill to amend the provision regarding newspapers in clause (b) of section 25 of an act entitled "An act to amend and consolidate the acts respecting copyright," approved Mar. 4, 1909, as amended by an act approved Aug. 24, 1912, and also to amend section 40 of said act. Presented by Mr. Smith of New York. H. R. bill 343. 65th Cong., 1st sess. Printed, 2 pp. 4°. [Referred to the Committee on Patents.]

³ 1917 (Apr. 3). A bill to amend the copyright law passed Mar. 4, 1909. Presented by Mr. Mott. Bill H. R. 365. 65th Cong., 1st sess., printed, 3 pp. 4°. [Referred to the Committee on Patents.]

for designs for articles of manufacture. On August 4, 1916, a new draft of the original bill was presented to the House by Hon. Martin A. Morrison (H. R. 17290).¹ This bill was favorably reported by the House Committee on Patents on August 18, 1916 (see my last year's report, p. 195—H. R. Report No. 1125).²

Bill H. R. 1700.

The bill as favorably reported to the House was introduced to the Senate by Hon. Thomas Taggart on August 22, 1917 (S. 6925),³ was read twice and referred to the Committee on Patents. Public hearings on the bill were had before a subcommittee of the Senate Committee on Patents on January 24, 1917,⁴ but the bill was not reported. On February 9, 1917, Hon. Martin A. Morrison, at that time chairman of the House Committee on Patents, presented a revised bill (H. R. 20842)⁵ which was ordered to be printed and referred to the Committee on Patents. No further action is recorded.

Bill S. 6925

Bill H. R. 20842

The various bills "to amend and revise the laws relating to printing and binding and the distribution of publications for Congress" reported on in my last year's report (p. 193) had contained a provision that "no Government publication nor any portion thereof shall be copyrighted." The revised bill introduced in the Senate by Hon. William E. Chilton on January 10, 1917 (S. 7795),⁶ contained a definition of "Government publication" and the prohibition of copyright quoted above (sec. 18, par. 1). The Senate Committee submitted a detailed report on this bill on

Public printing bills

Bill S. 7795

¹ 1916 (Aug. 4). A bill providing for the registration of designs. Presented by Mr. Morrison. Bill H. R. 17290, 64th Cong., 1st sess. Printed, 23 pp. 4°. [Referred to the Committee on Patents.]

² 1916 (Aug. 18). A bill providing for the registration of designs. Committed to the Committee of the Whole House on the state of the Union. Bill H. R. 17290 (H. R. Report No. 1125), 64th Cong., 1st sess. Printed, 23 pp. 4°.

³ 1916 (Aug. 22, calendar day, Aug. 22). A bill providing for the registration of designs. Presented by Mr. Taggart. Bill S. 6925, 64th Cong., 1st sess. Printed, 23 pp. 4°. [Referred to the Committee on Patents.]

⁴ Registration of designs. Hearings before a subcommittee of the Committee on Patents, United States Senate, 64th Cong., 2d sess., on S. 6925, an act providing for the registration of designs. Printed for the use of the Committee on Patents. [January 24, 1917.] 75 pp. 8°. Washington, Government Printing Office, 1917.

⁵ 1917 (Feb. 9). A bill providing for the registration of designs. Presented by Mr. Morrison. Bill H. R. 20842, 64th Cong., 2d sess. Printed, 23 pp. 4°. [Referred to the Committee on Patents.]

⁶ 1917 (Jan. 10). A bill to amend and revise the laws relating to printing and binding and the distribution of publications for Congress. Presented by Mr. Chilton. Bill S. 7795, 64th Cong., 2d sess. Printed, 28 pp. 4°. [Referred to the Committee on Printing.]

January 11, 1917,¹ which report contained a reference to the clause concerning copyright. This bill passed the Senate on February 6, 1917. The House of Representatives has taken no action upon the Senate bill; but on February 22, 1917, a substitute bill (H. R. 21021)² was introduced in the House by Hon. Henry A. Barnhart. In this draft, section 18, containing the provision quoted prohibiting copyright in Government publications has been stricken out.

II. *International Copyright Relations*

Copyright relations with New Zealand

President's Proclamation Feb. 9, 1917

New Zealand Order in Council

The only action to report during the fiscal year concerning copyright relations between the United States and foreign countries is the issuance of the proclamation by the President on February 9, 1917, extending to citizens of New Zealand the benefits of section 1 (e) of the Copyright Act of March 4, 1909, to secure "copyright controlling the parts of instruments serving to reproduce mechanically the musical work, in the case of such musical compositions by the composers of New Zealand as have been published since December 1, 1916, and have been duly registered for copyright in the United States."

This proclamation was issued by agreement in exchange for an Order in Council by the Governor of New Zealand, dated February 2, 1916, to go into effect on December 1, 1916, to secure protection in New Zealand for the unpublished works of American authors.³

¹ 1917 (Jan. 11). A bill to amend and revise the laws relating to printing and binding and the distribution of publications for Congress. Reported by Mr. Chilton, without amendment. Bill S. 7795 (S. Report No. 910), 64th Cong., 2d sess. Printed, 28 pp. 4°.

² 1917 (Feb. 22). A bill to amend and revise the laws relating to printing and binding and the distribution of publications for Congress. Presented by Mr. Barnhart. Bill H. R. 21021, 64th Cong., 2d sess. Printed, 23 pp. 4°. [Referred to the Committee on Printing.]

³ This order directs that the Copyright Act of 1913 of New Zealand shall apply:

"(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 had been British subjects:

"(b) In respect of residence in the United States of America, in like manner as if such residence had been residence in New Zealand:

"Provided that—(i) the term of copyright within New Zealand shall not exceed that conferred by the law of the United States of America: (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: (iii) in the application to existing works of the provisions of section 32 of the Copyright Act, 1913, the commencement of this Order shall be substituted for the 1st July, 1913, in paragraph (b) of subsection (1)."

The full texts of the Order in Council and the President's Proclamation are printed as Addenda I to this Report, pp. 31-3.

This New Zealand Order in Council is in exact agreement with the similar British Order of February 3, 1915, to secure copyright protection for the unpublished works of American authors in exchange for the extension to British composers of the benefits of section 1 (e) of our Copyright Act of 1909, to enable them to control the reproduction of their musical works by means of mechanical contrivances, such as perforated music rolls or musical records. By the terms of the British Order the protection for unpublished works by American authors was extended to Great Britain and the British Colonies and Possessions with the express exception of the self-governing dominions of Australia, New Zealand, Canada, Newfoundland, and South Africa.

British Order in Council, 1915

Our International Copyright Relations

More than a quarter of a century has now elapsed since the copyright protection granted by law in the United States was extended to the works of foreign authors, under certain conditions, by the provisions of the Copyright Act of March 3, 1891. The fundamental condition was the existence of reciprocal protection in the foreign country, and this was to be determined from time to time by proclamation of the President.¹

Copyright relations with Europe

On July 1, 1891 (the date upon which the copyright act went into effect), the President issued the first copyright proclamation under the provisions of the act in behalf of the authors of Belgium, France, Great Britain and the British possessions, and Switzerland.²

First copyright proclamation 1891

The protection extended in the United States to the authors of each of these countries was that accorded by our

Statutory requirements

¹ Section 13 of the act of 1891 provides: "That this act shall only apply to a citizen or subject of a foreign state or nation when such foreign state or nation permits to citizens of the United States of America the benefit of copyright on substantially the same basis as [to] its own citizens; 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 of America may, at its pleasure, become a party to such agreement."

² By subsequent proclamations issued at different dates copyright privileges in the United States have been extended on the dates stated to the authors of the following European countries: Apr. 15, 1892, Germany; Oct. 31, 1892, Italy; May 8, 1893, Denmark; July 20, 1893, Portugal; July 20, 1895, Spain; Nov. 20, 1899, The Netherlands; July 1, 1905, Norway; Sept. 20, 1907, Austria; June 29, 1910, Luxemburg; May 26, 1911, Sweden; Oct. 4, 1912, Tunis; Oct. 15, 1912, Hungary, the first European country with which the United States made a copyright treaty.

copyright laws and could only be secured upon full compliance with all the conditions and formalities prescribed by those laws. Registration was required in our copyright office upon the obligatory deposit ("on or before the day of publication in this or any foreign country") of a "printed copy of the title" of the author's work; and the deposit was insisted upon of two copies of every published work "not later than the day of publication thereof in this or any foreign country," as well as "a copy of every subsequent edition wherein any substantial changes shall be made." Each copy of every work was required to carry the copyright notice, and in the case of some works (chromos, lithographs, and photographs) the law required them to be remanufactured in the United States, while the author of a book, whether he was a native or foreigner, could not protect it at all unless it had been printed in this country from type set within the limits of the United States; and to lend support to this printing requirement the general importation was prohibited of copies not so printed. A foreign author, therefore, was obliged to arrange for and complete the reprinting of his book in the United States before he could safely proceed with its publication in his own country, and he was under the necessity, moreover, to deposit such reprinted copies here (after antecedent registration of the title) not later than the day upon which his book was published abroad. These requirements proved a serious burden on the foreign author and greatly curtailed the protection which he could actually secure under our copyright laws. The obligation to reset in the United States books printed in languages other than English proved practically prohibitive of any protection at all, and prevented the foreign author of such books from securing copyright in the United States. Under the amendatory acts of January 7, 1904, and March 3, 1905, ad interim protection was provided for terms of one and two years and the extension of the protection to the full term of copyright was secured if an American edition, either of the original foreign work or of an English translation, were produced within the period of the ad interim term. The act of March 4, 1909, finally excepted from the requirement to reprint a book in the United States if it were "a book of foreign origin in a language or languages other than English." This act further

*Books in foreign
languages*

abolished the useless preliminary filing of the title page, and by the amendatory act of March 28, 1914, it was provided that one copy could be deposited in lieu of two, "if the work is by an author who is a citizen or subject of a foreign state or nation and has been published in a foreign country," and this deposit is not required to be made until after the publication of the work in the author's own country.

The act of March 4, 1909, amended the law "to secure copyright controlling the parts of instruments serving to reproduce mechanically a musical work," and presidential proclamations have been issued to secure that right in the United States for the citizens or subjects of Germany (December 8, 1910); Belgium, Luxemburg, and Norway (June 14, 1911); Cuba (November 27, 1911); Hungary (October 15, 1912); Great Britain (not including Canada, Australia, New Zealand, Newfoundland, or South Africa—January 1, 1915); Italy (May 1, 1915); New Zealand (February 9, 1917).

*Protection of
music for records*

With Latin America our copyright relations began with the issuance of presidential proclamations, under the act of March 3, 1891, in behalf of Mexico (February 27, 1896); Chile (May 25, 1896); Costa Rica (October 19, 1899); and Cuba (November 17, 1903); securing to the authors of these countries access to the benefits accorded by our copyright laws upon compliance with the formalities prescribed by those laws.

*Copyright rela-
tions with South
America*

On April 9, 1908, the President proclaimed the Convention between the United States and other powers on literary and artistic copyrights, signed at the City of Mexico on January 27, 1902. This treaty (the second Pan-American copyright convention) went into effect on July 1, 1908, as between the United States and Costa Rica, Guatemala, Honduras, Nicaragua, and Salvador. This was superseded by the Convention on Literary and Artistic Copyright (the fourth Pan-American copyright convention) signed at Buenos Aires on August 11, 1910, by the United States and all the Central and South American States, except Bolivia. It was ratified on March 12, 1911, but was not proclaimed until July 13, 1914, as then in effect between the United States and the Dominican Republic, Ecuador, Guatemala, Hon-

*Convention of
1902*

*Convention of
1910*

duras, Nicaragua, and Panama. Notice has been received of the subsequent adhesion to this convention of Bolivia, Brazil, Costa Rica, Paraguay, and Salvador. Under article one of this treaty "The signatory States acknowledge AND PROTECT the rights of Literary and Artistic Property in conformity with the stipulations of the present Convention." Article two enumerates the "Literary and artistic works" protected (books, music, original works of art, etc.) including, finally, "all productions that can be published by any means of impression or reproduction." Article three of the Convention provides that—

"The acknowledgment of a copyright obtained in one State, in conformity with its laws, shall produce its effects 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."

Copyright relations with Japan: Treaty of 1905

The first treaty by the United States dealing exclusively with copyright was negotiated with Japan and was signed at Tokio on November 10, 1905, and was proclaimed by the President on May 17, 1906. It was followed by two treaties with Japan signed at Washington on May 19, 1908, and proclaimed on August 11, 1908, for the reciprocal protection in CHINA and KOREA for patents for inventions, designs, trade-marks, and copyrights.

COPYRIGHT RELATIONS WITH GREAT BRITAIN AND THE BRITISH DOMINIONS

Copyright relations with England

Our copyright relations with Great Britain were established by the President's proclamation of July 1, 1891 (in accordance with the provisions of section 13 of the act of March 3, 1891), and were confirmed by the proclamation of April 9, 1910, following the enactment of the consolidated copyright statute of March 4, 1909. The new copyright privileges accorded by section 1 (e) of that act (to control the reproduction of music by mechanical instruments) were extended to Great Britain on January 1, 1915, and to New Zealand on December 1, 1916, in exchange, in the case of each country, for an Order in Council securing to citizens

Rights under section 1 (e) Great Britain and New Zealand

of the United States protection in Great Britain and New Zealand for their unpublished works.

The copyright relations between the United States and Great Britain, which have now existed for more than a quarter of a century, have never been either complete or satisfactory. They have never been nor are they now in any exact sense "reciprocal." The protection accorded American authors has been incomplete and inadequate and especially uncertain and unsatisfactory as regards security for literary property in Canada and Australia. On the other hand, the authors of Great Britain and her English-speaking dominions have found their copyright protection in the United States heavily handicapped, in the case of books and prints, by the requirement of remanufacture in the United States. The privileges conferred have also been burdened with compulsory registration and the obligation to deposit copies.

The exigencies of the great war have brought hampering conditions of a new kind through the necessity upon the part of Great Britain to prohibit the importation of printed books and music "imported otherwise than in single copies through the post." This prohibition has put a stop to the usual methods taken by American publishers for securing the publication of their works, especially music, in England; and it has become very difficult, if not almost impossible, to take the steps required by the British Copyright Act in order to secure copyright in Great Britain for published works by American authors. This embargo upon printed books and music also prevents American publishers from supplying through the ordinary business channels the English demand for such works by United States authors. This situation may result in very serious losses, more especially to those American authors whose works might be the basis for lucrative motion-picture rights or profitable dramatic representation, and to American composers of music who, if protected, could profitably dispose of their rights to authorize the making of perforated music rolls or phonographic records from their music.

So far as the authors of Great Britain and their brother authors of the great English colonial commonwealths are concerned, the protection securable in the United States for

Unsatisfactory copyright relations

American authors not protected

British authors burdened

War embargo on books and music

Ill effects of embargo on American rights

British authors in United States

Unpublished works

their literary productions under our copyright relations is also inadequate and must, besides, seem unreasonably burdened with difficult and unusual conditions. A comparison of the actual copyright situation of British authors with that of United States authors, so far as securing reciprocal protection in the other country is concerned, shows marked and unfavorable differences. While the unpublished works of American authors are now protected in Great Britain without any formalities, exactly as if the authors of such works were British subjects, or were resident within Great Britain, the British author in order to secure copyright in the United States for such unpublished works as are protected by copyright must file a claim for registration, together with a copy of the work or an identifying reproduction of it if it be a work of art, and must also pay a fee for each registration made.

Published works: American authors

In the case of published works the inequality is still more marked. An American author can secure copyright in Great Britain by simply placing his work on sale there simultaneously with, or within 14 days after, publication of the work in the United States. There is no obligation to manufacture the work abroad, or to register it, or to insert any notice of copyright in it. In the case of a book it is not required that it be printed or bound in Great Britain; copies of the American edition can be sold there without restriction. The only absolute obligation upon the American author (imposed upon the British author as well) is the deposit of one copy of the author's book in the British Museum. In addition, if a written demand for any specific book is made within one year after its publication by any one or more of five other great British libraries, such book must also be delivered for the use of the library.

Published works: British authors in the United States.

Our copyright laws require of the British author that one copy of his work (since Mar. 28, 1914, formerly two) be deposited for registration; the manufacture in the United States of lithographs and photo-engravings, and, in the case of books, that they be printed in the United States from type set within the United States, and also that an affidavit of such American typesetting be filed. The United States notice of copyright must appear in all copies sold or distributed in the United States, and copies of the

original authorized edition of the English author's book are prohibited importation for sale, except under special restrictions.¹

The result has been that only a small proportion of the books published from year to year in Great Britain have been republished and copyrighted in the United States. An

*Failure to secure
United States pro-
tection.*

¹ Sec. 31. That during the existence of the American copyright in any book the importation into the United States of any piratical copies thereof or of any copies thereof (although authorized by the author or proprietor) which have not been produced in accordance with the manufacturing provisions specified in section fifteen of this act, or any plates of the same not made from type set within the limits of the United States, or any copies thereof produced by lithographic or photo-engraving process not performed within the limits of the United States, in accordance with the provisions of section fifteen of this act shall be, and is hereby, prohibited: *Provided, however,* That, except as regards piratical copies, such prohibition shall not apply:

*Prohibition of
importation*

(a) To works in raised characters for the use of the blind;

(b) To a foreign newspaper or magazine, although containing matter copyrighted in the United States printed or reprinted by authority of the copyright proprietor, unless such newspaper or magazine contains also copyright matter printed or reprinted without such authorization;

(c) To the authorized edition of a book in a foreign language or languages, of which only a translation into English has been copyrighted in this country;

(d) To any book published abroad with the authorization of the author or copyright proprietor when imported under the circumstances stated in one of the four subdivisions following, that is to say:

First. When imported, not more than one copy at one time, for individual use and not for sale; but such privilege of importation shall not extend to a foreign reprint of a book by an American author copyrighted in the United States;

Second. When imported by the authority or for the use of the United States;

Third. When imported, for use and not for sale, not more than one copy of any such book in any one invoice, in good faith, by or for any society or institution incorporated for educational, literary, philosophical, scientific, or religious purposes, or for the encouragement of the fine arts, or for any college, academy, school, or seminary of learning, or for any State, school, college, university, or free public library in the United States;

Fourth. When such books form parts of libraries or collections purchased en bloc for the use of societies, institutions, or libraries designated in the foregoing paragraph, or form parts of the libraries of personal baggage belonging to persons or families arriving from foreign countries and are not intended for sale: *Provided,* That copies imported as above may not lawfully be used in any way to violate the rights of the proprietor of the American copyright or annul or limit the copyright protection secured by this act, and such unlawful use shall be deemed an infringement of the copyright.

Sec. 32. That any and all articles prohibited importation by this act which are brought into the United States from any foreign country (except in the mails) shall be seized and forfeited by like proceedings as those provided by law for the seizure and condemnation of property imported into the United States in violation of the customs revenue laws. Such articles when forfeited shall be destroyed in such manner as the Secretary of the Treasury or the court, as the case may be, shall direct: *Provided, however,* That all copies of authorized editions of copyright books imported in the mails or otherwise in violation of the provisions of this act may be exported and returned to the country of export whenever it is shown to the satisfaction of the Secretary of the Treasury, in a written application, that such importation does not involve willful negligence or fraud.

Sec. 33. That the Secretary of the Treasury and the Postmaster General are hereby empowered and required to make and enforce such joint rules and regulations as shall prevent the importation into the United States in the mails of articles prohibited importation by this act, and may require notice to be given to the Treasury Department or Post Office Department, as the case may be, by copyright proprietors or injured parties of the actual or contemplated importation of articles prohibited importation by this act, and which infringe the rights of such copyright proprietors or injured parties.

examination of the "English Catalogue," which records yearly the titles of the books published in Great Britain, with the recorded entries in our Copyright Office goes to show that less than one-tenth of the books produced in England have been republished in the United States and thus made available for American readers and students, and that the republication which has taken place has been mainly of popular works, such as novels, etc.

Ad interim protection inadequate

With a view to facilitate compliance with its typesetting stipulations, the act of March 4, 1909, provides that upon the deposit and registration in the Copyright Office of a copy of an English book, not later than 30 days after its publication in England, an ad interim protection for 30 days may be secured, and if an American edition of the book (type set in the United States) is *published* during these last 30 days, the copyright is extended to 28 years. During the eight years or more since the act of 1909 went into effect some 3,000 ad interim registrations have been made, or for about 300 different books each year. While these 30-day ad interim provisions may be advantageous and sufficient in the case of a few well-known authors having established relations with American publishers who are accustomed to republish English books, they are of little or no value to the new, unknown, or little-known English author who can not hold back the date of publication of his book in London, and who fails to secure promptly a publisher in the United States. The Copyright Office records clearly demonstrate that both 30-day terms are too short to be really helpful.

Failure to secure protection

In about 5 per cent of the applications received there has been failure to make deposit within the prescribed 30 days after first publication; and of the English books actually

Failure to republish in the U.S.

registered for ad interim protection hardly more than one-third have been finally republished in the United States. A certain proportion of the books which were reprinted, moreover, have not been published in the United States within the 30 days of the ad interim term and therefore have not fully complied with the law's requirement. It is to be observed that in all cases where the ad interim registration is followed by an American edition, two registrations must be made, two fees paid, and three copies, in all, of each book must be deposited.

These special requirements of our copyright act—insertion of copyright notice, deposit of copies, and registration—are generally absent from foreign copyright legislation, being either not required at all, or only in part; but never as a condition precedent to the securing of copyright. They actually result, therefore, in barring foreign authors from securing copyright in the United States for the greater number of their literary productions.¹ *The obligatory formalities*

The foreign countries with which we have established copyright relations may be divided into three groups to indicate the different character of the protection secured and the practical variances upon which it is based. With the Central and South American States which have ratified the treaty of 1910, we have an agreement that the acknowledgment of copyright in a work by a citizen of any one country and its publication in that country with a notice of copyright shall secure its protection in all of the other signatory countries without further conditions or formalities. With the continental countries of Europe the protection secured in the United States by presidential proclamation depends upon the obligatory deposit of copies and compulsory registration, while in the case of Great Britain and the British self-governing dominions the protection securable in the United States is greatly circumscribed by the stringent conditions imposed which are often very difficult to comply with.

The above summary of our established international copyright relations indicates the need for amendment. Literary and artistic property protection in this country should be uniform and equal, with no differences or distinctions based upon the nationality of the author, and should be free from inequality in the conditions or formalities imposed upon the author or his publisher. *Amendment required*

The leading European countries, including all the foreign countries with which we have copyright relations, except Austria-Hungary, have joined in forming the International Copyright Union, based upon the conventions of Berne (1886), Paris (1896), and Berlin (1908). In the protection accorded *International Copyright Union*

¹ The "Bibliographie de la France" lists more than 5,000 books as published in France during the year 1916. Our "Catalogue of Copyright Entries" for books contains the titles of only 184 French works during the year 1916.

to the authors benefited by membership in this very practical and effective Union is seen the high-water mark of international literary-property protection. The authors of each country of the Union are guaranteed security for their works, by the terms of the convention creating the Union, in all the other countries of the Union without conditions or formalities of any kind. It has long been the desire of American authors to secure to themselves this literary world-citizenship by the entrance of the United States into the International Copyright Union, so that every citizen of the United States upon the publication of his work in his own country should thereby be assured of his complete control of it—of its republication, translation, dramatization, or other legitimate use—in all the other great countries of the world. This step forward probably can not be taken without antecedent copyright legislation by Congress to prepare the way. Meantime, in the convention of 1910 between the United States and Latin-American countries an attempt was made to secure effective international protection for intellectual productions free from troublesome conditions and formalities, and that treaty might possibly serve as a model for a similar convention between the United States and our allies, France, Belgium, and Italy, as well as other European countries.

*Convention of
1910 a possible
model*

*Amendment of
copyright relations
with Great Britain*

The present most urgent need is some remedy for the serious defects in our copyright relations with Great Britain. What should be accomplished is complete security, not only in Great Britain and the United States, but in all the British self-governing dominions as well, for all literary and artistic works by the authors of each of these countries, no matter in which country their works shall have been first produced.

In view of the new and important relations now established between the United States and Great Britain, the time is opportune for bringing about a more friendly and effectual union of all the English-speaking peoples of the world on a basis of mutual trust and equal consideration. Much might be achieved in this direction if a formal agreement could be entered into by the respective governments for the reciprocal security of literary and artistic productions based upon a broad and liberal treatment of the various questions

involved. Such a convention or treaty for the protection of intellectual property might go far toward cementing relations of inestimable and permanent value.

Respectively 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, 1917

Month	Gross cash receipts	Refunds	Net receipts	Fees applied
1916				
July.....	\$9,626.43	\$219.07	\$9,407.36	\$6,861.75
August.....	8,583.41	240.80	8,342.61	10,743.75
September.....	7,845.27	129.81	7,715.46	8,800.50
October.....	9,381.96	252.25	9,129.71	9,290.30
November.....	8,342.13	167.42	8,174.71	8,531.70
December.....	11,465.42	258.86	11,206.56	9,077.30
1917				
January.....	12,921.47	186.20	12,735.27	10,555.95
February.....	8,100.36	196.90	7,903.46	8,659.45
March.....	10,297.11	230.68	10,066.43	9,989.55
April.....	9,161.95	268.54	8,893.41	9,110.45
May.....	8,501.26	267.53	8,233.73	9,032.90
June.....	9,581.74	160.23	9,421.49	9,423.80
Total.....	113,808.51	2,578.31	111,230.20	110,077.40
Balance brought forward from June 30, 1916.....				\$9,222.53
Net receipts July 1, 1916, to June 30, 1917:				
Gross receipts.....			\$113,808.51	
Less amount refunded.....		2,578.31		
				<u>111,230.20</u>
Total to be accounted for.....				120,452.73
Copyright fees applied July 1, 1916, to June 30, 1917.....			110,077.40	
Balance carried forward to July 1, 1917:				
Trust funds.....			8,188.70	
Unfinished business.....			2,186.63	
				<u>120,452.73</u>

Register of Copyrights

EXHIBIT B.—Statement of fees paid into Treasury

Date	Check No.	Amount	Date	Check No.	Amount
1916			1917		
July 12.....	4575	\$1,000.00	Jan. 2.....	5508	\$1,800.00
July 17.....	4591	1,700.00	Jan. 5.....	5521	277.30
July 24.....	4649	1,800.00	Jan. 8.....	5531	1,700.00
July 31.....	4699	1,200.00	Jan. 15.....	5570	2,500.00
Aug. 5.....	4574	1,161.75	Jan. 22.....	5621	2,200.00
Aug. 7.....	4755	1,200.00	Jan. 29.....	5654	2,600.00
Aug. 14.....	4785	2,200.00	Feb. 3.....	5681	1,555.95
Aug. 21.....	4851	2,400.00	Feb. 5.....	5690	800.00
Aug. 28.....	4881	2,700.00	Feb. 12.....	5716	2,400.00
Sept. 5.....	4912	2,000.00	Feb. 19.....	5742	2,000.00
Sept. 7.....	4926	243.75	Feb. 26.....	5811	1,900.00
Sept. 11.....	4937	1,800.00	Mar. 6.....	5849	1,559.45
Sept. 18.....	4958	2,000.00	Mar. 12.....	5910	2,300.00
Sept. 25.....	4994	2,300.00	Mar. 19.....	5948	2,800.00
Oct. 2.....	5021	2,200.00	Mar. 26.....	5974	2,300.00
Oct. 5.....	5037	500.50	Apr. 2.....	6032	2,000.00
Oct. 9.....	5061	1,600.00	Apr. 6.....	6062	589.25
Oct. 16.....	5094	2,300.00	Apr. 9.....	6068	2,100.00
Oct. 23.....	5125	1,700.00	Apr. 16.....	6123	2,000.00
Oct. 30.....	5157	2,400.00	Apr. 23.....	6174	2,300.00
Nov. 4.....	5194	1,290.30	Apr. 30.....	6224	2,000.00
Nov. 6.....	5203	1,000.00	May 4.....	6254	710.45
Nov. 13.....	5221	2,100.00	May 7.....	6264	1,400.00
Nov. 20.....	5276	2,200.00	May 14.....	6318	2,100.00
Nov. 27.....	5304	1,700.00	May 21.....	6382	2,300.00
Dec. 4.....	5319	1,300.00	May 28.....	6446	2,100.00
Dec. 8.....	5352	231.70	June 4.....	6465	1,132.90
Dec. 11.....	5371	2,500.00	June 11.....	6494	2,000.00
Dec. 18.....	5406	2,400.00	June 18.....	6529	2,100.00
Dec. 26.....	5461	2,100.00	June 25.....	6570	2,300.00
			July 2.....	6602	2,400.00
			July 6.....	6610	623.80
			Total.....		110,077.40

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
1916								
July.....	6,382	\$6,382.00	557	\$278.50	76	\$38.00	7,015	\$6,698.50
August.....	10,317	10,317.00	507	253.50	69	34.50	10,893	10,605.00
September.....	8,199	8,199.00	521	260.50	111	55.50	8,831	8,515.00
October.....	8,588	8,588.00	609	304.50	108	54.00	9,305	8,946.50
November.....	8,068	8,068.00	473	236.50	85	42.50	8,626	8,347.00
December.....	8,519	8,519.00	608	304.00	103	51.50	9,230	8,874.50
1917								
January.....	9,879	9,879.00	674	337.00	324	162.00	10,877	10,378.00
February.....	7,960	7,960.00	502	251.00	366	183.00	8,828	8,394.00
March.....	9,313	9,313.00	400	200.00	400	200.00	10,113	9,713.00
April.....	8,583	8,583.00	341	170.50	143	71.50	9,067	8,825.00
May.....	8,494	8,494.00	555	277.50	139	69.50	9,188	8,841.00
June.....	8,924	8,924.00	473	236.50	68	34.00	9,465	9,194.50
Total.....	103,226	103,226.00	6,220	3,110.00	1,992	996.00	111,438	107,332.00

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
1916										
July.....	92	\$46.00	58	\$96.00	24	\$7.75	10	\$1.00	\$12.50	\$6,861.75
August.....	33	16.50	66	107.00	24	8.25	35	3.50	3.50	10,743.75
September...	269	134.50	88	119.00	41	14.50	35	3.50	14.00	8,800.50
October.....	325	162.50	104	157.00	35	11.50	18	1.80	11.00	9,290.50
November...	99	49.50	96	113.00	40	13.00	32	3.20	6.00	8,531.70
December...	126	63.00	87	120.00	31	11.00	18	1.80	7.00	9,077.50
1917										
January.....	100	50.00	94	101.00	39	14.25	7	.70	12.00	10,555.95
February.....	148	74.00	87	155.00	34	11.25	17	1.70	23.50	8,659.45
March.....	212	106.00	92	142.00	50	16.75	23	2.30	9.50	9,989.35
April.....	133	66.50	64	105.00	31	9.75	832	83.20	21.00	9,110.45
May.....	105	52.50	84	114.00	40	13.00	29	2.90	9.50	9,432.90
June.....	76	38.00	93	140.00	58	21.00	18	1.80	28.50	9,423.80
Total..	1,718	859.00	1,013	1,469.00	447	152.00	1,074	107.40	158.00	110,077.40

Register of Copyrights

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
1916						
July	\$9,626.43	\$6,861.75	7,015		2,455	280
August	8,583.41	10,743.75	10,893	2,156		404
September	7,845.27	8,800.50	8,831	1,155		353
October	9,381.96	9,290.30	9,305		1,779	358
November	8,342.13	8,531.70	8,626		1,466	345
December	11,465.42	9,077.30	9,230		1,073	369
1917						
January	12,921.47	10,555.95	10,877	14		435
February	8,100.36	8,659.45	8,828		647	384
March	10,297.11	9,989.55	10,113	144		389
April	9,161.95	9,110.45	9,067	212		349
May	8,501.26	9,032.90	9,188		487	340
June	9,581.74	9,423.80	9,465		303	364
Total	113,808.51	110,077.40	111,438			

EXHIBIT E—Statement of gross cash receipts, yearly fees, number of registrations, etc., for 20 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
Total	1,837,833.48	1,759,853.55	2,162,979		

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).

EXHIBIT F—Table of registrations made during fiscal years 1911-12, 1912-13, 1913-14, 1914-15, 1915-16, and 1916-17, arranged by classes *

	1911-12	1912-13	1913-14	1914-15	1915-16	1916-17
Class A. Books (including pamphlets, leaflets, and contributions to periodicals):						
(a) Printed in the United States	26,540	26,784	28,591	29,704	31,312	32,364
(b) Printed abroad in a foreign language.....	2,294	2,369	2,860	1,843	1,276	914
(c) English books registered for ad interim copyright.....	452	419	440	379	309	274
Total.....	29,286	29,572	31,891	31,926	32,897	33,552
Class B. Periodicals (numbers).....	22,580	23,002	24,134	24,938	26,553	26,467
Class C. Lectures, sermons, addresses.....	106	185	159	142	157	159
Class D. Dramatic or dramatico-musical compositions.....	3,767	3,700	3,957	3,797	3,223	3,067
Class E. Musical compositions.....	26,777	26,292	28,493	21,406	20,644	20,115
Class F. Maps.....	2,153	2,011	1,950	1,772	1,612	1,529
Class G. Works of art; models or designs.....	3,224	2,871	3,021	2,965	2,220	2,247
Class H. Reproductions of works of art.....	47	13	3	0	0	0
Class I. Drawings or plastic works of a scientific or technical character.....	500	462	339	513	445	512
Class J. Photographs.....	13,498	12,778	10,390	10,523	10,626	7,564
Class K. Prints and pictorial illustrations.....	17,639	16,591	15,438	12,935	12,722	11,514
Class L. Motion-picture photoplays.....		892	2,039	2,757	2,934	2,410
Class M. Motion pictures not photoplays.....		61	109	193	306	310
Renewals.....	1,349	1,065	1,231	1,326	1,628	1,992
Total.....	120,931	119,495	123,154	115,193	115,967	111,438

* For detailed statement of registrations made for fiscal years from 1901 to 1910-11 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, and 1916-17

	1914-15	1915-16	1916-17	Total, 1897-1917
1. Books:				
(a) Printed in the United States:				
Volumes.....	20,296	20,675	20,708
Pamphlets, leaflets, etc.....	25,696	25,682	26,910
Contributions to newspapers and periodicals.....	6,886	8,251	9,040
	52,878	54,608	56,658
(b) Printed abroad in a foreign language..	1,894	1,197	931
English works registered for ad in- terim copyright.....	380	299	274
	55,152	56,104	57,863	961,700
2. Periodicals.....	49,696	52,922	53,382	850,294
3. Lectures, sermons, etc.....	142	157	159	1,126
4. Dramatic or dramatico-musical composi- tions.....	4,136	3,610	3,352	61,631
5. Musical compositions.....	40,437	33,552	32,045	886,796
6. Maps.....	3,530	3,226	3,058	71,518
7. Works of art; models or designs.....	2,969	2,227	2,247	60,370
8. Reproductions of works of art.....	0	0	0	2,030
8a. Chromos and lithographs.....				48,712
9. Drawings or plastic works of a scientific or technical character.....	682	646	814	4,709
10. Photographs.....	19,357	18,785	13,947	492,438
11. Prints and pictorial illustrations.....	20,811	19,265	18,031	359,156
12. Motion-picture photoplays.....	6,596	10,784	10,110	32,924
13. Motion pictures not photoplays.....	259	524	619	1,774
14. Miscellaneous (unclassified articles).....				778
15. Foreign books received under act of Mar. 3, 1905.....				2,527
Total.....	203,767	201,802	195,627	3,838,483

NOTE.—For detailed statement of articles deposited during fiscal years 1897-8 to 1912-13 see Annual Report of Register of Copyrights for 1914-15.

ADDENDUM I

NEW ZEALAND—LIVERPOOL, GOVERNOR—ORDER IN COUNCIL—COPYRIGHT

At the Government Building at Wellington, this second day of February, 1916 *New Zealand Order in Council, 1916*

Present: The Right Honorable W. F. Massey, P. C., presiding in council.

Whereas by section thirty-three of the Copyright Act, 1913 (herein after referred to as "the said Act"), the Governor may by Order in Council direct that the said Act (except such of the provisions thereof, if any, as may be specified in the Order) shall extend, *inter alia*—

(a) to literary, dramatic, musical, and artistic works, or any class thereof, the authors whereof were at the time of the making of the work subjects or citizens of a foreign country to which the Order relates, in like manner as if the authors were British subjects; *Subject matter of copyright*

(b) in respect of residence in a foreign country to which the Order relates, in like manner as if such residence were residence in New Zealand; *Residence*

And whereas it is desirable to provide protection within New Zealand for the unpublished works of citizens of the United States of America: *Unpublished works of U.S. citizens*

And whereas the Government of the United States of America has granted protection to works entitled to copyright under the provisions of Part I of the said Act, or has undertaken to grant protection so far as such protection does not already exist:

Now, therefore, His Excellency the Governor of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby direct that the said Act (including the provisions as to the existing works) shall, subject to the provisions of the said Act and of this Order, apply— *New Zealand copyright act, 1913*

(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 had been 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 New Zealand; *Residence*

Provided that—

(i) the term of copyright within New Zealand 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 thirty-two of the Copyright Act, 1913, the commencement of this Order *Existing works*

shall be substituted for the 1st of July, 1913, in paragraph (b) of subsection (1).

Effective Dec. 1, 1916 This Order in Council shall come into operation on the first day of December, one thousand nine hundred and sixteen.

J. F. ANDREWS
Clerk of the Executive Council

ADDENDUM II

COPYRIGHT—NEW ZEALAND

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 instruments serving to reproduce

Sec. 1 (e). Mechanical musical reproduction 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 author 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

International agreement 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";

New Zealand act, 1913 And whereas there has been received from the Government of Great Britain satisfactory official assurance that the Government of New Zealand has issued an Order in Council, effective December 1, 1916, providing that the existing copyright law of that country, including

the provisions as to existing works, shall, subject to the provisions of the said law and of the said Order, apply—

(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 had been 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 New Zealand. *Residence*

Provided that—

(i) The term of copyright within New Zealand 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 32 of the Copyright Act, 1913, the commencement of this Order shall be substituted for the 1st July, 1913, in paragraph (b) of subsection (1). *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 sections 1 (e) and 8 (b) of the Act of March 4, 1909, now exists and is fulfilled and since December 1, 1916, has been fulfilled in respect to the citizens of New Zealand, and that such citizens 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 composers of New Zealand which have been published since December 1, 1916, and have been duly registered for copyright in the United States. *Proclamation*
Effective Dec. 1, 1916

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

Done at the City of Washington this 9th day of February, in the year of our Lord one thousand nine hundred and seventeen, and of the Independence of the United States of America the one hundred and forty-first. *Date of proclamation, Feb. 9 1917*

[SEAL.]

WOODROW WILSON

By the President:

ROBERT LANSING
Secretary of State