PETITION AGAINST A BILL

TO AMEND THE

Law relating to Copyright,

Which has been read a First Time in the House of Commons.

To the Honourable the House of Commons of the United Kingdom of Great Britain and Ireland.

The Petition of certain Authors, Publishers, and Booksellers of London, and others,

umbly Sheweth,

That a Bill has been brought into Your Honourable House ntitled "A Bill to amend the Law relating to Copyright," nd that after the most deliberate and impartial consideration ereof, Your Petitioners are convinced that the said Bill proeeds upon a mistake in Law, and is unfounded in Facts; that would produce great injury to the Public without benefiting uthors; and that, if passed, it would prove a most serious npediment to the diffusion of Knowledge.

Your Petitioners beg leave to represent to Your Honourble House that Copyright is a MONOPOLY; and that by the tatute 21 Jac. I. by which Monopolies were abolished, it was eclared that all *Monopolies* granted to any person "of or for the sole buying, selling, making, working, or of using any thing within this Realm, are altogether contrary to the Laws of this Realm."

Your Petitioners beg leave to remind Your Honourable ouse that Books have now become an essential principle of ntellectual life; that it entirely depends upon the abundant upply, and wholesome quality of this great aliment of the ublic mind, whether the People of this Country are to remain ationary, to retrograde, or to advance in Civilization; and herefore, that the greatest benefit which the Legislature can onfer upon them, is to render the best Authors accessible to l Classes of the Community, at prices consistent with their everal means.

That, although it has been found expedient to grant an

exclusive right of Publishing Books to Authors and their Assigns, the duration of that privilege was wisely limited to the shortest period necessary for their production; that it is not pretended that any additional encouragement is required to induce Men of the highest attainments to devote their talents to Literature, for at no time were so many new Books printed as at present; that there is no reason to believe any Work has remained unpublished, which would have been published, if there had been a longer Copyright therein than for fourteen years; and that, the supply of Books is now much greater than the demand. And Your Petitioners therefore submit that it is unnecessary and would be most unjust to deprive the Public of the advantages arising from the present Law on the subject.

Your Petitioners humbly represent that they are not aware of any great alteration having been made in the Law of this Country affecting the rights of individuals, except upon Petitions from the parties intended to be benefited, containing the strongest evidence, not only of the justice and expediency of the change so far as they were concerned, but that it would not be inconsistent with the Public interests. In the present instance, however, no Petition to Your Honourable House, nor any Statement in favour of the Measure, has proceeded from a single individual out of a great and numerous body, capable above all others, of vindicating their rights and urging their claims; while numerous Petitions have been presented to Your Honourable House, and many able Pamphlets written, pointing out the injury which the Bill must infallibly produce to Literature and to the Public. Your Petitioners therefore repeat that the Bill is wholly unnecessary; and that the Evils proposed to be remedied are as groundless as the expected Advantages are imaginary.

Your Petitioners beg leave to assure Your Honourable House that they would rejoice at the adoption of any plan likely to ameliorate the condition of Men of Genius, and they fully appreciate the generous feeling which has induced Your Honourable House to entertain a proposition professing to have that object in view; but they entirely disapprove of a measure which will not be attended with any pecuniary benefit to Authors, while it would be certain to contract the usefulness of their labours, and often destroy their hopes of living in the Lite-

ure of their Country, and thus of being honoured by the most tant posterity.

Your Petitioners consider that such would be the effect of Bill, for the following reasons:—It contemplates giving "to he executors, administrators or assigns," of an Author a Copyht in his works for sixty years after his decease; but the dence of the most eminent Publishers of London, before the rliamentary Committee in the year 1818, shows that Copyhts are not of greater value for even twenty-eight, than for rteen years; and though an Author may now assign his interest in his labours, it is very doubtful whether he ld obtain five per cent. more by doing so, than if he were ssign the Copyright of them for the shortest of those terms. r "executors, administrators, and assigns," who may not en be the children of a distressed Author, and whose interest may be adverse to theirs, Your Petitioners conceive the ublic need have little sympathy; and without adopting in an clusive sense, the memorable words of Lord Camden, that Glory is the reward of Science, and those who deserve it scorn ell meaner views," they apprehend that few of the Authors hose works have found a permanent place in British Literature, er bestowed a single thought on the benefit which might ise from their labours "to their executors, administrators, or assigns." It ought to be remembered that Spenser, Raleigh, hakespeare, Coke, Bacon, knew not the stimulus of Copyright; at as Milton was content with ten pounds for his immortal oem, it cannot be supposed that it was composed with a view pecuniary reward; that the noblest productions of Genius,—e works of Butler, Locke, Johnson, Pope, Dryden, Hume, bbon, and Robertson, for example,—appeared when Authorip had but a limited protection; and that Burns, amidst overty and distress, scorned to accept remuneration for many his glorious Songs.

Your Petitioners do not, however, by any means assert that an uthor should not receive an adequate pecuniary remuneration r his labours; but they submit that the employment of industry d talents in Literary Composition differs in nothing from the ption of those qualities to other objects; that the commercial e of a Manuscript is the amount of money which the person converts it into a printed Book is willing to give, and for

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which the Author consents to sell it; that having sold it, hi
pecuniary interest therein should cease; that to enable the buye
to repay himself the purchase money, and to obtain a fa
remuneration for his trouble, risk, and outlay of capital in pu
lishing a Work, the Legislature has innovated upon the gener
Law of this Country against Monopolies, by granting an e
clusive right to print and sell such Book for a certain period.

Your Petitioners therefore consider that after the expirati
of the term, and in return for the privilege, a right to the fr
use of the work justly belongs to the Public; and they intre
the attention of Your Honourable House to the opinion of M
Mac Culloch (himself a most laborious and able author), in l
"Commercial Dictionary," and of Dr. Johnson, respecti
Copyright.

"The Copyright of an unpublished Work is, of all descri
" tions of property in which to speculate, the most hazardo
" and the chances of reaping contingent advantages from it,
" the distance of twenty-eight years, would be worth very li
" indeed. We are therefore clearly of opinion, that good pol
" suggests the limiting of the exclusive right of Printing a
" Publishing Literary Works to such a reasonable period as m
" secure to Authors the greatest part of the profit to be deri
" from their Works; and that this period being expired t
" should become public property. We do say, that more inj
" than benefit would result to Literature, by extending the pe
" of Copyright beyond twenty-eight years."

Dr. Johnson says, Were an Author's right in his Book
" be perpetual, no Book, however useful, could be univers
" diffused among mankind, should the Proprietor take it in
" head to restrain its circulation. For the good of the we
" therefore, whatever individual Work has once been crea
" an Author, and issued out by him, should be understood
" no longer in his power, but as belonging to the Public
" the same time, the Author is entitled to an adequate rew
" This he should have by an exclusive right to his Work f
" considerable number of years."

Your Petitioners cannot doubt that the means affor
an Author of obtaining remuneration are sufficient, whic
they remember that Pope obtained £5320 for the Copyr
of his Translation of the Iliad, at a time when only four

t, hi years right was secured to the purchaser; and that of the most
uy popular authors of the present age, Sir Walter Scott received
fa about £250,000; Lord Byron £23,540, though he died at the
pu age of thirty-six; and that for a single Poem, Mr. Moore has
ne been paid £3000.

Your Petitioners beg leave to deny the assertion, that by
d. he Common Law an Author had a *perpetual* right in his Works.
ati The right of an Author (as distinguished from that of his Pub-
fr isher or Assignee) was never recognized by the Legislature until
tre he Statute of the 10th Anne; and they find that when Parlia-
M ment first interfered on the subject, namely, in the 25th Henry
n l VIII., the intention was merely to prohibit the importation of
cti Books, and their sale by Foreigners, and *to prevent their being*
old at exorbitant prices. With the latter object in view, power
cri was given to the Lord Chancellor, Lord Treasurer, and two Chief
Ju ustices, on complaint of the dearness of any Book, to inquire
it, nto the matter by a Jury or otherwise; and if the charge was
li ell founded, to "limit the prices as well of the Book as of
ol the Binding;" which Statute is noticed by Lord Coke in his
a econd Institute, "to the end that not only this Second Part of
m the Institutes, but all other Books of what argument soever,
i *may be sold at reasonable prices, and that the subjects of this*
t *Realm, being Printers, and Binders of Books, may be set on*
j *work,*" and that "*if any enhaunsing or encreasing of prices be*
e *either of the Books,* or the Binding of them, *it may be known*
who may and ought to redress the same." They also find that
e Statute 21 Jac. I. for abolishing Monopolies, so far from
cognizing the rights of Authors in their Works, merely pro-
cted the interests of inventors who might thereafter procure
etters Patent "for the term of *fourteen years or under,* of the
sole working or making of any manner of new Manufactures;"
nd of persons who might "obtain *Letters Patent* or *grants of*
Privilege of, *for, or concerning Printing,* making Salt-Petre,
or Gunpowder, or Ordnance, or Shot." They submit that
ese facts are wholly inconsistent with the principle of absolute
d perpetual Copyright; and although the great increase of
e Printing business afterwards created extensive Competition,
hich is the most effectual restraint upon High Prices, and
ndered the remedy given by the Statute 25 Hen. VIII. urne-
sary, the House of Commons nevertheless insisted upon

retaining it in the Statute of the 10th Anne, against the declared wish of the House of Lords.

Your Petitioners beg leave to observe, that it is erroneous to imagine that Booksellers are the only persons who benefit by a free trade in Books, and that the supposed loss of an Author from the expiration of his Copyright, is their gain. On the contrary, the existence of Copyright is a far greater loss to the Public, than to the manufacturers or venders of Books, in consequence of the additional price which it creates, and of the restriction which it imposes upon circulation in a form adapted to the taste and means of different classes of purchasers. It is also a fallacy to believe that because certain Works in which there is no Copyright, have a large sale, the demand would be the same if a Copyright existed; and this is the more important, because the supposed pecuniary advantages to the descendants of Authors, upon which the Bill is founded, have been calculated, not by what would probably be the sale if there had been a perpetual Copyright in their works, but by the number of copies printed in consequence of there being no Copyright or other restriction whatsoever. Your Petitioners wish, moreover, to suggest to Your Honourable House, that the merits of many Authors have become known to subsequent generations solely from their works having been reprinted by Booksellers, who would not have done so, had they been checked by any impediment; and it is doubtful whether the older Poets, not excepting even Chaucer, Shakespeare, Spenser, and Milton, do not owe much of the veneration in which they are held to the universal circulation, at the lowest possible cost, of their compositions: while amongst more modern writers, Blair, Pope, Thomson, Burns, Cowper, Kirke White, and others of equal celebrity, afford striking examples of the important advantage of the loftiest productions of Genius being rendered accessible to the Peasant and the Artisan. Your Petitioners cannot refrain from reminding Your Honourable House, that an Author's fame and the demand for his Writings, act reciprocally upon each other. His reputation depends upon the extent to which his works are read; and in proportion to his reputation will be the desire to read them.

Your Petitioners would wish further to impress upon Your Honourable House, that, the chance of success of a new Work is very uncertain, for not one-half of modern Publications pay the

cost of production: and as the Works, which are in general demand fourteen years after their first appearance, do not average one in a hundred, Publishers look only to an immediate sale of a limited number of Copies; and are therefore obliged to demand extravagant prices. It consequently appears, that instead of extending the duration of Copyright, it would be judicious, both with respect to the interests of Authors and of the Public, to limit its duration to twenty-one years, without reference to the life of the Author; for it has been proved before a Committee of Your Honourable House, that he would obtain the same sum for the Copyright of his labours for twenty-one years, as for a longer term; and if he were living at the expiration of that time, and his work were still in request, he might, in effect, create a new Copyright therein, by revising and improving it; and even if he were dead, and had left a corrected copy, that copy would be valuable to his heirs.

To shew that it is only in very rare cases that the Works even of the most distinguished Authors are of pecuniary value after their decease, Your Petitioners beg leave to state that though no Copyright has existed for many years in Sir Isaac Newton's Works, and though only one complete edition was ever published, which was printed so long ago as the year 1785, it is certain that the republication of his Works would be attended with loss, for the last edition of his immortal Principia, in 1822, was not a profitable speculation; that the recent republication of the works of Bacon and Locke, Hooker's Ecclesiastical Polity, Hooke's Roman History, the complete edition of Pope's Works by Roscoe, Facciolati's Latin Lexicon, the Works of Ben Jonson by Gifford, the British Essayists, and Roscoe's Life of Lorenzo de Medici, edited by his son, were not productive of any profit; that they would not have been undertaken if there had been a Copyright in them; and that very considerable sums are annually lost in reprinting valuable books, of which the Copyright has expired.

It must therefore be apparent to Your Honourable House, that it would be highly inexpedient to create any further impediment to the republication of the works of Standard Authors; that the idea of there being any value in Copyright for fifty years after an author's decease is, in general, illusory; that the exceptions are so rare as by no means to justify an alte-

ration in the existing Law; and that, in no instance, would it be so injurious to Legislate for the few, at the expense of the many, as in a case in which the sources of the moral Improvement and sound Education of the People are involved.

Your Petitioners must be allowed to observe, in confirmation of their opinion that the "Executors, Administrators, and Assigns" of few Authors, would benefit by having a Copyright in their Works, that it has been stated by experienced Publishers that "there is not one Author in five thousand, whose works at "the distance of fifty years would possess any mercantile value;" and they cannot believe that for so uncertain a result, Your Honourable House will risk the Fame of Authors, and disappoint the Hope which animated their Toils, by creating any additional impediment to the circulation of their Works. Still less can they believe that Your Honourable House, which has manifested so laudable a desire for the Instruction of the People, will sanction any measure likely to render Education injurious, by exciting a desire for Knowledge, and yet impose restrictions upon the means of gratifying it.

Besides other objections to a long duration of Copyright Your Petitioners beg leave to impress upon Your Honourable House, that it prevents the publication of complete editions of Works of permanent value, and renders it impossible to illustrate them by such notes as the progress of Science, Geographical Discoveries, and the alteration of the Laws, render indispensable. Even at this moment, though above forty years have elapsed since the death of the Poet Cowper, a right exists in some of his Poems and Letters, which, though of little or no value to the Proprietor, prevents their being incorporated in a new edition; and it would be impossible, for this reason, to print a complete edition of the Works of many of the most distinguished of living Authors. With respect to standard Law Books, and Treatises on different branches of Science and Art, which require new notes from time to time, a long Copyright would often prevent their being illustrated by the remarks of preceding Editors. Had there been a Copyright in Littleton's Tenures, for example, Lord Coke's Commentary must have been detached from the text; and as that Commentary would also have been protected, the notes of Butler, Hargrave, and other learned persons must have appeared as separate publications; and the same rem-

applies to editions of the Classics, as well as to other Works, many of which are almost as valuable from the Notes, as from the Text itself.

Your Petitioners will proceed to submit some striking facts, illustrative of the effect of Copyright upon the prices of Books; and they wish to impress upon Your Honourable House, *that it depends almost entirely upon the selling price of any Book, whether it will or will not reach those classes of the Community, who stand most in need of instruction*; and that the effect of an extension of Copyright in valuable modern Works would be, that information of vital importance to the Religious Welfare and Moral Happiness of Mankind, would be withheld from the present, the next, and partly also from the third generation.

	Published at	Cheapest Copyright Price.	Competition Price.
	£. s. d.	£. s. d.	£. s. d.
Scott's Lay of the Last Minstrel	2 2 0 ..	0 5 0 ..	0 1 6
Scott's Marmion . . .	1 11 6 ..	0 5 0 ..	0 0 10
Johnson's English Dictionary .	5 5 0 ..	3 9 0 ..	1 8 0
Walker's English Dictionary .	1 8 0 ..	0 14 0 ..	0 5 0
Cruden's Concordance . .	2 2 0 ..	—— ..	0 12 0
Gibbon's Rome . . .	6 6 0 ..	2 8 0 ..	0 18 0
Robertson's Historical Works .	5 5 0 ..	3 4 0 ..	0 18 0
Baker's Livy . . .	3 3 0 ..	2 2 0 ..	0 12 0
Blair's Sermons . . .	3 0 0 ..	1 2 6 ..	0 6 0
British Essayists, 45 vols. .	10 10 0 ..	8 8 0 ..	2 12 6
Boswell's Johnson . . .	2 2 0 ..	1 16 0 ..	0 8 0
Gillie's History of Greece .	3 18 0 ..	1 16 0 ..	0 7 6
Johnson's Works . . .	7 4 0 ..	2 8 0 ..	1 1 0
Josephus, by Whiston . .	—— ..	1 16 0 ..	0 8 0
Milner's Church History , .	—— ..	3 0 0 ..	0 8 0
Mitford's History of Greece .	9 6 0 ..	4 4 0 ..	1 16 0
Murphy's Tacitus . . .	6 0 0 ..	4 4 0 ..	0 10 6
Paley's Works . . .	6 0 0 ..	2 14 0 ..	0 7 6
Pope's Works and Homer .	8 14 0 ..	2 0 0 ..	0 9 0
Rollin's Ancient History . .	3 12 0 ..	2 2 0 ..	1 5 0
Roscoe's Lorenzo's Medici .	2 2 0 ..	1 4 0 ..	0 8 0
Russell's Modern Europe . .	—— ..	3 3 0 ..	1 1 0
Smith's Wealth of Nations .	—— ..	1 7 0 ..	0 5 0
Spectator	3 4 0 ..	1 15 0 ..	0 10 6
Tytler's Elements of General History	—— ..	1 1 0 ..	0 4 0
White's History of Selborne .	1 1 0 ..	0 16 0 ..	0 3 6

Your Petitioners are fortunately able to shew the effect of perpetual Copyright upon the circulation and price of Works, by a case in which that right does exist. Lord Clarendon's History of the Rebellion is the property of the University of Oxford. In the year 1818, the only English edition which could be procured (and that only with great difficulty), sold at £15 15*s.* for the large paper, and £7 17*s.* 6*d.* for the small paper, though an octavo edition, printed on the continent, might then be purchased for 36 francs or about £1 8*s.* This circumstance induced the University to publish an octavo edition, which sells at the present moment for £3 10*s.*; but were it not for the perpetual Copyright that valuable Work would be immediately reprinted at *one-fifth* of the price, namely at about *fourteen shillings*.

Your Petitioners also humbly represent that, even under the Law as it now stands, it is often found extremely difficult to prevent Piracies; but were the duration of Copyright to be extended, they are persuaded it would be utterly impracticable to protect rights in Literary property; and consequently that it would be impossible to carry the Provisions of the Bill into effect, though it would cause fruitless litigation, and useless expense.

Although Your Petitioners are opposed to the Principle as well as to all the Details of the Bill, and entreat Your Honourable House to reject it altogether, they will nevertheless offer some observations upon the material clauses, to shew that some of them are as inconsistent with the object which the Bill professes to have in view, as others are impracticable and unjust.

Your Petitioners beg leave to state to Your Honourable House that by the existing Law, Copyright endures for twenty-eight years, and for the whole life of the Author, if he be living at the expiration of that term; and that the uncertainty which is thereby created has been found highly inconvenient, for the interest of the Assignee may expire the very day after the completion of that period, or it may continue for thirty or more years. But instead of providing a remedy, by limiting Copyright to a certain and fixed period, the Bill proposes that "the Copy-"right in any Book which shall hereafter be published, shall be "the property of the Author thereof, his executors, adminis-"trators, and assigns, for the term of the natural life of such "Author, and for the further term of sixty years, commencing

of "the time of his death," so that a Copyright may exist for any by period from sixty to one hundred and twenty-five or more years, ory for an Author who publishes a Work at the age of twenty-five, rd, and dies in the following year, will only have sixty-one years' ro- interest therein, but should he happen to live to the age of for eighty, his Copyright will extend over a period of one hundred an and fifteen years.

sed Your Petitioners submit that the tendency of that propo- the sition is to encourage hasty and imperfect works, by giving a en greater benefit to young and inexperienced writers, than to ht those whose Genius is matured, and whose Judgment has been ft ripened by Time; for he who publishes an imperfect Work at the age of twenty-five, and who might live to the age of seventy, le would have a Copyright of one hundred and five years; while th he who, after passing the greater part of his existence in bring- bi ng a learned and laborious Work to perfection, should print it ol t the age of sixty, and die at seventy, would have no more ta han seventy-one years' Copyright therein.

nt With respect to the 4th and 5th Clauses of the Bill, which es elate to cases of subsisting Copyright in Books already pub- shed, and give to the Representatives or Executors of Authors bo Copyright in their Works for sixty years from the time of their [d ecease, Your Petitioners have only to repeat the objections be- ore stated, namely, that it is in very rare instances indeed, that ny *benefit would accrue to the parties, while the most serious* jury would be done to the Public, by withholding from the reat body of the People the Knowledge and Instruction con- ined in modern publications; as evidence of which they will erely observe, that the works of Sir Walter Scott would not e open to competition until the year 1892; the works of Lord yron not until the year 1884; and those of Coleridge not ntil the year 1894; while the Copyright in the Bridgewater reatises, the works of Hallam, Southey, and of any other Author ow living, would not expire until some time in the *twentieth ntury!*

But while, *from a pretended regard to the descendants of* uthors, the interest of the Public have been wholly over- oked, Your Petitioners beg leave to represent, that the 7th d 8th Clauses of the Bill manifest a singular tenderness for e interests of Publishers who possess existing Copyrights, for

it is provided that after their right shall have expired, they
may sell or dispose of any copies of such Book, printed durin
the continuance of their interests in the same, and that if the
Work has been already stereotyped, they may continue to print
copies from such stereotyped plates, and to publish the same,
although the Copyright should have reverted to the personal
representative of the Author, whereas those plates ought upon
the general principle of the Bill, to be transferred to the Author's
representative at a fair valuation, because if stereotype plates
were carefully repaired, they might last for the whole period
of the extended Copyright.

Your Petitioners are of opinion that the 9th Clause which
enacts, that " whenever a period of five years shall elapse after
" the expiration of twenty-eight years from the first Publication
" of any Book, or after the death of the Author thereof, if he
" be living at the end of such period, without any new edition
" thereof being published, and such Book shall be out of print,
" it shall be lawful for any person to give notice in writing to the
" party entitled to the Copyright of such Book; by leaving the
" same at the last place of publication of such Book, or at the
" place of abode of such proprietor, that the same is out of print,
" and that at the expiration of one year, from the giving of such
" notice, if such Book does not exceed five hundred pages, or
" two years if it exceeds five hundred pages, he will apply to
" the Lord Chancellor, Master of the Rolls or Vice Chancellor,
" Court of Session in Scotland, for Lord Ordinary on the bill
" in vacation, for permission to reprint and republish the same;
" and if at the expiration of such respective period of one year
" or two years, such party entitled to the Copyright of such
" Book shall not republish such Book, then it shall be lawful
" for the Lord High Chancellor, &c. upon the Petition of the
" party by whom such notice was given, or his executors or ad-
" ministrators, to allow the Petitioner to reprint and republish
" such Book for his own benefit, and to have the Copyright
" thereof for such period not exceeding the duration of the
" original Copyright therein, as the said Lord High Chancellor
" &c. shall seem just," is totally inconsistent with the rights of
property; that it would give rise to endless litigation, and be
attended with great hardship and injustice to the proprietors
of Copyrights. The fact whether a Book is or is not out

print is one which cannot always be easily ascertained; and Your Petitioners wish to impress upon Your Honourable House, that it would be exceedingly unjust to compel a person who has purchased an absolute right in any property, to incur a heavy expense in the use of such property against his own will, and possibly to his serious inconvenience, at the mere suggestion of a Competitor, under the penalty of having his right taken from him, and given to a person who had never paid one shilling for it.

Your Petitioners submit that the 19th Clause, which prohibits the printing of "any Book containing any portion of a Book in which there shall be subsisting Copyright, or any Abridgement of such Book, without the consent of the Proprietor of such Copyright," except in the instances "of extracts fairly and *bona fide* made from any Book for the purpose of criticism, observation, or argument," would prove extremely detrimental to the public. It must be well known to Your Honourable House, that some of the most valuable Elementary Books consist of Abridgements of larger works, and that Knowledge is usually imparted to youth, as well as to Persons in after life, whose occupations do not admit of regular study, by Compendiums of Sciences, Abridgements of History, and Books containing Select Passages from standard Authors. But if a Law, like that now proposed, had formerly existed, well known, useful, and popular Works of that nature would not have appeared: and instead of such Books preventing the sale of the Works from which the extracts are taken, they have a contrary effect; because they not only act as advertisements to the Works themselves, but have excited an interest in the minds of thousands about Authors, of whose very names they would possibly never have otherwise heard.

Although nearly every other Clause in the Bill, in the opinion of Your Petitioners, is more or less imperfect and objectionable, they will only further trespass upon the time of Your Honourable House, by pointing out the more important of the remaining defects. By the concluding paragraph of the 9th Clause, a Copyright in every Translation is given, which in the case of Translations of the works of Foreigners published abroad, might be just and proper: but in that of Books

published in England, in any other Language than English, and written by Natives of this Country, it seems unfair that the Author should not have power, for a certain time at least, to prevent his Work from being translated without his own consent.

Although the 20th Clause of the Bill prohibits the Importation for *sale* of any Book which was first composed, written or printed and published in any part of the United Kingdom and reprinted in any other Country, it in effect legalizes the possession of such Works if purchased abroad, or if imported in any numbers, with any other motive than that of *sale*.

Your Petitioners submit that the proviso that Books which have not been printed or reprinted in the United Kingdom within twenty years, may be imported, and sold, would be attended with serious injury to the Assignees of Copyrights of works of very slow sale, and of which a large stock may, and often does, remain on hand for a much longer period than twenty years after publication; and it is moreover inconsistent with Clause 9, by which interference with Copyright is not contemplated until five years shall have elapsed after the expiration of twenty-eight years, and after the Author's death without republication.

It appears to Your Petitioners to be another striking defect of the Bill, that no provision whatever is made for the security of Copyright of works published Anonymously, of which the Publisher is not always, nor even generally, the Proprietor. By the 31st Clause it is proposed to be enacted, that no Proprietor of Copyright in any future Work shall maintain an action for infringement of Copyright, unless he shall have entered the Work in the Registry of the Stationers' Company, and the Schedule annexed to the Bill containing the form of such Register, shews that "the Name and Place of Abode of the Proprietor of the Copyright" must be stated therein. It is consequently obvious that a person who, (like Sir Walter Scott in the case of the Waverley Novels), retains the Copyright of his Work, but does not think proper to avow himself as the Author, could not prevent it from being pirated. The Registration is likewise objectionable from its requiring an unnecessary disclosure of the private agreements between Authors and Publishers.

Your Petitioners therefore earnestly hope, that in consideration of the facts and reasons which they have stated, Your Honourable House will not allow the present Bill, nor any other Bill for extending the duration of Copyright, to pass into Law.

And Your Petitioners, as in Duty bound, will ever pray.