

LIBRARY OF CONGRESS

REPORT

OF THE

LIBRARIAN OF CONGRESS

AND

REPORT

OF THE

SUPERINTENDENT OF THE LIBRARY
BUILDING AND GROUNDS

FOR THE

FISCAL YEAR ENDING JUNE 30, 1905



WASHINGTON
GOVERNMENT PRINTING OFFICE
1905

REPORT OF THE LIBRARIAN OF CONGRESS

LIBRARY OF CONGRESS
Washington, D. C., December 4, 1905

SIR: I have the honor to submit my report as Librarian of Congress for the fiscal year ending June 30, 1905.

FINANCE

The following table exhibits the appropriations and expenditures of the Library proper and of the Copyright Office for the fiscal year, and the appropriations for the year now current. Details are given in Appendix Ia. Included also are the appropriations for the equipment and care of the building and grounds, expended by the Superintendent. The allotment for printing and binding (during the past year \$185,000) is not included.

Object of appropriation	Appropriations, 1904	Appropriations, 1905	Expenditures, 1905	Appropriations, 1906	<i>Appropriations and expenditures</i>
Library and Copyright Office:					
Salaries, general service.....	\$235,660.00	\$236,660.00	\$235,765.24	\$236,660.00	
Salaries, special service.....	^a 2,739.33	^a 2,090.00	1,395.06	^a 2,694.94	
Salaries, Sunday service.....	10,000.00	10,000.00	9,730.96	10,000.00	
Salaries, distribution card indexes.....	^b 4,900.00	^b 6,800.00	^b 6,799.94	^b 7,800.00	
Salaries, Copyright Office.....	^c 70,440.00	^c 74,700.00	^c 74,662.46	^c 74,700.00	
Increase of Library.....	^d 99,800.00	^d 99,800.00	^d 99,784.29	^d 98,000.00	
Contingent expenses.....	7,300.00	7,300.00	7,298.90	7,300.00	
Total, Library and Copyright Office.....	430,839.33	437,350.00	435,436.85	437,154.94	
Building and grounds:					
Care and maintenance.....	74,745.00	76,785.00	76,594.95	77,595.00	
Fuel, light, and miscellaneous.....	^e 35,000.00	32,500.00	32,244.67	32,500.00	
Furniture and shelving.....	45,000.00	40,000.00	39,989.26	40,000.00	
Sunday opening.....	2,500.00	2,800.00	2,763.05	2,800.00	
Grand total.....	588,084.33	589,435.00	587,028.78	589,959.94	

^a Including balance brought forward.

^b This expenditure is offset by subscriptions covered into the Treasury during the past year \$15,496.55 actually applied.

^c This expenditure is offset by fees covered into the Treasury during the past year \$78,058.

^d Exclusive of \$1,500 to be expended by the marshal of the Supreme court for new books for that body.

^e Increased from \$30,000 by act of February 18, 1904.

Of the \$311,360 appropriated for salaries, exclusive of the Sunday and special services, \$932.30 were unexpended and remain in the Treasury. This sum represents not a surplus provision for service, but salaries for a time undrawn, those of employees temporarily absent without pay, or of new appointees who failed to qualify promptly after appointment.

As will be seen, the appropriations for the past year were substantially identical with those for the preceding. In the general force the increase was merely of a thousand dollar employee. The only other increases in the appropriations under my control (those for the Copyright Office and the Card Section) were to meet the increasing business in two divisions of our work which are self-sustaining; and were more than offset by the receipts.

For the coming year there has been provided no increase except of \$1,000 for service in one of these two divisions—the Card Section. I asked for none other, except the following, all in repetition of previous requests:

1 stenographer and typewriter for the Periodical Division, at..	\$900
1 clerk, Copyright Office, at	600
Certain increases of salary in the nature of adjustments, amounting to	2,500
Additional for increase of the Library	10,000
Index to comparative legislation.....	28,000

These are also the limit of my requests in the estimates recently submitted for the fiscal year 1906-7. If I go no further it is not because there is not useful work on hand and in prospect exceeding the capacity of our present force, but because I wish to keep the estimates within the dimension which five years ago I stated to be necessary for a reasonable progress with the work then seen to be absolutely necessary. In point of numbers the force is now as I planned for then; but the organization is not, nor will it be, until there shall be granted the increases in salary

which are necessary to adjust fairly the salaries of certain employees doing equivalent work without equivalent pay.

SERVICE

(Noting only changes prior to June 30, 1905)

Among the resignations of the past year has been that of Mr. J. Christian Bay, of our Catalogue Division, a well-trained specialist in certain branches of science, particularly natural history and biology. He left us to become chief classifier of the John Crerar Library of Chicago. In exchange, however, Mr. Clarence W. Perley has returned to us from that very position. His specialty is rather the applied sciences. In these also the division has been strengthened by the appointment of Mr. H. H. B. Meyer, late of the New York Public Library. Mr. Alexis V. Babine, our specialist in Russian literature, resigned last spring to become a member of the office of the Associated press at St. Petersburg. Miss Laura Hammond, of the Catalogue Division, accepted the post of librarian of the Georgia School of technology. *Resignations*

Another government library has been supplied from our service, that of the Naval War College at Newport, to the librarianship of which Mr. Frederick C. Hicks, late of our Map Division, was appointed after competitive examination.

The Copyright Office has lost the exceedingly efficient services of Mr. Leonard B. Cool, its chief clerk, who resigned last March to accept a business position of promise, requiring initiative and executive ability.

The conduct of the Division of Documents, from which Mr. Falkner resigned a year ago, has been assigned for the present to Mr. James D. Thompson, who has been with us for several years, rendering important service in the cataloguing and classification of scientific literature, and of late designated as in charge of the "Science Section"

COPYRIGHT OFFICE

The report of the Register of Copyrights appears in full as Appendix II.

The principal statistics of the business done are as follows:

COPYRIGHT:
Statistics

Fees received and applied	Fiscal years—					
	1899-1900	1900-1	1901-2	1902-3	1903-4	1904-5
Domestic (50 cents) entries	\$43,219.00	\$41,906.50	\$42,172.50	\$44,340.00	\$46,360.00	\$51,772.00
Foreign (\$1) entries ..	8,360.00	8,538.00	8,633.00	9,209.00	10,410.00	9,830.00
For certificates.....	12,631.00	12,569.50	13,223.50	14,423.00	14,556.00	15,607.00
For assignments recorded	980.00	641.00	636.00	770.00	1,273.00	808.00
For searches	16.00	32.50	22.00	42.50	30.00	41.00
Total	65,206.00	63,687.50	64,687.00	68,874.50	72,629.00	78,058.00
Total number of deposits received (material of all classes, including duplicates)	141,444	162,283	169,726	177,519	184,799	207,424
Total number of entries.....	94,798	92,351	92,978	97,979	103,130	113,374
Total communications received, including parcels, but excluding deposits noted above	66,573	78,457	79,143	77,009	73,478	84,063
Total communications sent out (including letters written)	102,244	114,763	118,264	121,249	129,600	137,779

It will be noted that during the past year the number of entries has reached 113,374.

The fees from copyrights are covered into the Treasury, and not applied directly to the maintenance of the Copyright Office. They form a regular revenue of the Government, however, and a net revenue over the direct expenses of the office, as appears from the following comparison:

Report of the Librarian of Congress

RECEIPTS		COPYRIGHT OFFICE:
Fees covered in during the fiscal year 1904-5, as above...	\$78,058.00	<i>Receipts and expenses</i>
EXPENSES		
Salaries, as stated.....	\$74,662.46	
Stationery and sundries.....	967.72	
	75,630.18	
Net cash earnings	2,427.82	

The amount expended for salaries (\$74,662.46) includes the sum of \$4,680 paid in salaries to certain employees who have been classifying and crediting the old deposits received prior to 1897. This expenditure is chargeable to arrears. The *current* expenses of the office are therefore considerably more than met by the *current* receipts.

The above statement includes all *disbursements* except the cost of furniture, of printing, and of binding, but only *cash receipts*.

In addition to cash fees the copyright business brings each year to the Government, in the articles deposited, property to the value of many thousands of dollars. During the past fiscal year 207,424 such articles were received. The value of those drawn up into the collections of the Library far exceeded the amount of net cash earnings.

The work of the Copyright Office is divided into two portions: (1) The current business, covering applications received since the reorganization of the office under the Register in 1897; (2) the arrears, the classification, crediting, and indexing of the entries and deposits prior to 1897 (i. e., from 1870, when the office was first placed under the Librarian of Congress).

On the 6th day of July, 1905, when the report of the Copyright Office was submitted, the remittances received up to the third mail of the day had been recorded and acknowledged; the account books of the bookkeeping divi-

COPYRIGHT OFFICE:
Current business

sion 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.

All copyright applications received up to and including June 30 had been passed upon and refunds made. The total unfinished business for the full eight years, from July 1, 1897, to June 30, 1905, amounts to but \$442.47, as against a total of completed business for the same period of \$527,335.50.

At the close of business on July 6, 1905, notwithstanding the intervening Saturday half-holiday and Sunday, the titles for record in all classes had been dated, classified, and numbered to June 30. All titles had been indexed up to June 30.

The articles of all classes deposited during the year had been stamped, catalogued, and credited up to the receipts of June 30, inclusive.

The Catalogue of Title Entries had been brought forward to No. 730 of June 29, 1905.

The certificate and noncertificate entries (all classes except A to June 27, and B and C to June 28) had been recorded to June 30, inclusive, and certificates and notices of entry to the same date, made, revised, and mailed.

COPYRIGHT OFFICE:
The arrears.

The examination and arrangement of the mass of deposits has been continued, and 51,868 credited musical compositions (previously arranged by years of entry) have been given a more exact arrangement and conveniently shelved for future reference.

Credited articles to the number of 44,263 (including 6,083 pamphlets, 12,932 leaflets, 9,694 periodicals, and 14,071 musical compositions) have been properly filed away under year and number. In the work of crediting deposits, 18,494 articles were handled, and 17,722 articles

(including 2,083 pamphlets and 14,208 musical compositions) were credited and properly filed away. In the case of 772 articles, identification and credit could not be made, and they were accordingly indexed and filed.

Index cards (title and proprietor) for dramatic compositions to the number of 14,811 were written.

At the close of business June 30, 1905, there remained uncredited in the files of the Copyright Office 174,325 articles deposited prior to July 1, 1897, as follows:

Books	1,609
Pamphlets and leaflets	41,763
Periodical contributions	3,138
Periodicals	19,890
Musical compositions	64,749
Dramatic compositions:	
Typewritten	386
Printed	239
Manuscripts, etc.	27
	652
Maps:	
Sheet maps	1,605
Insurance maps	7,315
Roll maps and charts	85
Atlases	4
Engravings, cuts, and prints	11,018
Dress prints	2,552
Chromos and lithographs	3,831
Posters	3,450
Photographs	10,666
Stereographs	373
Kinetographs	45
Fine art photographs	10
Miscellany:	
Games	465
Other miscellany	1,105
	174,325
Total	174,325

During the past eight years the business done by the Office shows the following:

Total number of entries.....	751, 123
Total number of articles deposited.....	1, 276, 143
Total amount of fees received and applied.....	\$527, 335. 50
Total expenditure for service.....	\$427, 588. 22
Net receipts above expenses for service.....	\$99, 747. 28

During the thirty-five years since the copyright work became a business of the Library of Congress, the total number of entries has been 1,631,979. Of the total number of articles deposited during that time, there are in the files of the Copyright Office 1,439,611, exclusive of those transferred to the Library proper.

Revision of copyright laws A revision of the copyright laws is considered later in my report. See pages 85-94.

REPORT
OF
THE LIBRARIAN OF CONGRESS

LIBRARY OF CONGRESS
Washington, D. C., December 4, 1905

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REVISION OF COPYRIGHT LAWS

The existing copyright laws of the United States are admittedly imperfect and confused, difficult for the courts to interpret, and impossible for the Copyright Office to administer to the satisfaction of its clients. A similar, though less flagrant condition of the laws relating to trade-marks led to the appointment by Congress of a Commission to revise and codify them. Similar action has been urged to deal with copyright. The experience of the committees of Congress concerned with these subjects led them to believe, however, that as effective results would be achieved more promptly, and at less cost, by conference and agreement among the various interests particularly suffering from defects in the present laws and likely to benefit in a direct and practical way by the correction of them.

In April last the following circular was issued from my office:

April 10, 1905

“SIR: It is generally admitted by those most directly concerned that the copyright laws of the United States need revision. Since the enactment of the Revised

*Revision of
copyright laws*

Statutes relating to copyright, twelve amendatory acts have been passed, and as these contain textual contradictions and inconsistencies the interpolation of their provisions into those of the Revised Statutes gives rise to serious perplexities and embarrassments. Projects for the further amendment of these laws are constantly urged, and five copyright bills were pending on the adjournment of Congress on March 3, 1905.

"It is doubtful, however, if the enactment of additional provisions which are merely partial or temporizing will remedy the existing difficulties. The time seems to have been reached for the replacement of the existing insufficient and inconsistent laws by one general copyright statute.

"The Senate Committee on Patents, which deals with copyright legislation, has, in view of these considerations, made public its purpose "to attempt a codification of the copyright laws at the next session of Congress." The chairman of that committee has suggested that the Librarian of Congress call a conference to consider such a codification, and that such persons and associations as are interested in the subject be invited to be present or to appoint delegates to meet at some suitable place and convenient time, for the purpose of discussing a draft of a general copyright law to be presented for consideration at the next session of Congress.

"It would be desirable to secure such a meeting as early in the summer as possible, and, as a matter of convenience to the greater number of possible representatives, it is proposed to meet in New York City at some place and date (between May 25 and June 15) to be fixed upon later. This preliminary conference should be followed by a second meeting in the autumn sufficiently early to allow the results arrived at to be properly formulated for presentation upon the opening of Congress in the following December.

"The discussions must necessarily be kept within a limit that shall insure a practical result. They will, however, afford opportunity, not merely for considering

the defects of the present laws in definition and expression, but other imperfections through which they fail to secure protection obviously just. These defects and imperfections should be submitted to the conference by the interests concerned with their remedy. A representation of such interests as nearly complete as feasible will be sought.

“We assume that your organization should participate, and suggest that action be taken toward its representation by at least one, not exceeding two, delegates. (The number should be thus limited in order to avoid a total number that would be unwieldy.) We recommend, therefore:

(1) That you submit this project to your organization or such body as may be authorized to act in its behalf;

(2) That the organization, or such other body, designate a delegate or two delegates, who shall be authorized, in its behalf, to submit suggestions to the conference, to participate in its discussions, and to cast votes on all questions submitted to a vote;

(3) That prompt notice be given to the Librarian of Congress of the action taken as above;

(4) That in case your organization does not care to be represented, you notify the Librarian immediately.

“An invitation similar to this is being issued concurrently to various other organizations representing authors, painters, composers, playwrights, photographers, publishers, printers and illustrators, the American Bar Association, and certain others concerned with copyright matters.

“For effective discussion it seems necessary that the main conferences should be primarily of representatives of organized interests. That need not preclude the conference itself from seeking counsel or suggestion from individuals; though it seems probable that such counsel or suggestion could most advantageously be transmitted through some one of the organizations formally represented at the conference.

"I shall be glad to receive from you suggestion of any other organization representing interests akin to those represented by yours, to which a copy of this invitation should be addressed.

"The questions to be submitted in behalf of the interests which you represent should of course be determined beforehand, and formulated with such precision that your representatives can present at the conference practically definite instructions. If, in advance of the conference, copies of your proposals can be sent to me, the points raised can be collated and the discussion upon them thereby facilitated.

"The Register of Copyrights has prepared an edition of the copyright laws in force, in which the provisions of the Revised Statutes relating to copyright are presented in an orderly arrangement, with the corresponding provisions of subsequent amendatory acts in parallel columns. This is printed on writing paper with wide margins, upon which can be noted suggestions relative to the provisions of the laws now in force. A copy of this work will be sent upon request."

"Very respectfully

"HERBERT PUTNAM

"*Librarian of Congress*"

COPYRIGHT CON-
FERENCE.
Members

The conference met at New York on May 31, and a second session was held in November, also at New York.

The organizations represented comprised the following:

American (Authors') Copyright League: Richard R. Bowker, vice-president; Robert Underwood Johnson, secretary.

American Bar Association: Arthur Stenart, Edmund Wetmore, F. F. Reed.^a

American Dramatists Club: Bronson Howard, president; Joseph I. C. Clarke, first vice-president. Joseph R. Grismer; Henry P. Mawson.

American Institute of Architects: Glenn Brown, secretary.

American Library Association: Frank P. Hill, president; Arthur E. Bostwick.

American Newspaper Publishers' Association: John Stewart Bryan, Louis M. Duvall, Don C. Seitz, Mr. Walsh (representing Mr. Seitz).

^aThis representative was the only one not present at any of the sessions.

American Publishers' Copyright League: William W. Appleton, president; George Haven Putnam, secretary; Charles Scribner, treasurer; Stephen H. Olin, counsel.

Architectural League of America: D. Everett Waid.

Association of American Directory Publishers: W. H. Bates, secretary; Wilson H. Lee.

Association of Theatre Managers of Greater New York: Charles Burnham, first vice-president; Henry B. Harris, secretary.

International Advertising Association: Will Phillip Hooper, J. L. Stenart.

International Typographical Union: J. J. Sullivan, chairman I. T. U. copyright committee; P. H. McCormick, president, and George J. Jackson, organizer, of New York Typographical Union, No. 6.

Lithographers' Association (East). (See Reproductive Arts Copyright League.)

Manuscript Society: Miss Laura Sedgwick Collins, charter member, delegate; F. L. Sealy.

Music Publishers' Association of the United States: J. F. Bowers, president; George W. Furniss, chairman copyright committee; Walter M. Bacon, R. L. Thomæ; Nathan Burkan, counsel.

National Academy of Design: Frank D. Millet.

National Association of Photo-Engravers: B. W. Wilson, jr.

National Educational Association: George S. Davis, associate city superintendent of schools; C. G. Leland, librarian Board of Education of New York.

National Institute of Arts and Letters: Edmund Clarence Stedman, president; Brander Matthews.

National Sculpture Society: Karl Bitter, vice-president.

Periodical Publishers' Association of America: Charles Scribner.

Photographers' Copyright League of America: B. J. Falk, president; Pirie MacDonald.

Print Publishers' Association of America: Albert Smith, president; W. A. Livingstone, secretary.

Reproductive Arts Copyright League: A. Beverly Smith, secretary; Robert M. Donaldson; F. D. S. Bethune, counsel; E. B. Osborne, counsel.

Society of American Artists: John La Farge, president; John W. Alexander.

The Sphinx Club: Will Phillip Hooper.

United Typothetæ of America: Isaac H. Blanchard, of executive committee; Chas. W. Ames.

Treasury Department: Charles P. Montgomery.

Solicitor General's Office: represented by Mr. W. J. Hughes.

In addition to the delegates named above, Samuel J. Elder, esq., and A. W. Elson, esq., of Boston, were present.

COPYRIGHT CON-
FERENCE:
Proceedings

The limitations, as well as the opportunities of the Conference, were indicated in my opening remarks to the delegates at their first session:

“The origin, the occasion, and the purpose of this Conference are indicated in the call. The origin is a general agreement that our present copyright laws are defective in definition and imperfect, and perhaps inconsistent, in expression. The occasion is an intimation from the Senate Committee on Patents that at the coming session of Congress the committee proposes to submit a bill for a codification of these laws. Such a bill would naturally be drafted in the Copyright Office. If so, it would be the desire of the Copyright Office to have upon it the criticism of the various interests concerned with copyright protection. But the Office sees in it also an opportunity to submit to Congress in a systematic and orderly way various suggestions for the perfection of the laws where it is claimed they are now unjust or defective, and this Conference is to give expression to these suggestions. Such of them as survive discussion will be noted for the attention of Congress in connection with such a codification. We invite them. We shall try to secure fair consideration for any of them that seem obviously just or to be supported by a considerable opinion. But we would not have our abilities in the matter nor the abilities of this Conference overestimated.

“The Conference, of course, is not a commission appointed by Congress to revise or even to codify the law. It is not in a formal way appointed by Congress at all. It has been invited by the Copyright Office, at the suggestion, to be sure, of the chairman of the Senate Committee on Patents, but without any express direction or mandate of law. It will, of course, be advisory to the Office, and through the Office it may reach Congress with recommendations, but of course its expressions can be no more than recommendations, and the recommendations to be effective ought, of course, to be kept within reasonable limits likely to be adopted.

“The District Attorney has remarked that our statutory laws ought to be in two parts—the first of laws to be followed and the second of “moral yearnings.” In our proposals for copyright we had, I think, better leave the moral yearnings to a later generation or at least a later session of Congress.

“The Conference is composed of organizations concerned with copyright protection, but it is composed of typical organizations only—important ones, but typical ones only. It can not claim, therefore, to be completely representative of the community. It has not been composed with reference to balancing interests possibly conflicting. A majority vote of its members would not determine a proposal to be just nor would a unanimous vote determine it to be expedient. In fact, any mere vote of the Conference would have small significance.

“Now, these are serious limitations. We think they ought to be clearly before you at the outset, but we do not believe that they should prevent a work here of high service and of profit, and a work of which there is urgent need; and we cannot but believe that *unanimity* of opinion in a body such as this, so nearly representative and including interests so important, must have great weight with Congress.

“Our first intention had been to ask you to submit your suggestions to us at Washington, either by letter or by delegates, and submit them as separate organizations. It later seemed that a comparison of views such as a meeting such as this might afford would be profitable; and then it seemed that it would be more considerate to the majority of you that this first session at least should be held in New York, and we have come to meet you here.”

In addition to the Librarian of Congress and the Register of Copyrights, the Government was represented by Mr. Charles P. Montgomery, of the Treasury Department, whose explanations and suggestions with reference to importation

COPYRIGHT CON- were clear and valuable. At the second session in Novem-
 FERENCE: ber a representative of the Solicitor General's Office was
Proceedings. present to observe and report the discussions, in the expecta-
 tion that the Department of Justice would later be called
 upon for criticism of the proposed bill. The Conference
 accepted the theory of its functions thus indicated. It
 avoided the profession of an authority which it could not
 claim by avoiding either formal organization or formal
 "decision." The delegates submitted suggestions, ex-
 pressed views, and discussed them, but they brought none
 of them to a formal vote.

The first session of the Conference was held at the City
 Club of New York, which had generously granted the use
 of its rooms. It occupied both mornings and afternoons
 of three successive days, beginning May 31. Its accom-
 plishments are summarized in an editorial in the Pub-
 lishers Weekly, from which I quote:

"Results of surprising unanimity were reached in a
 minimum of time and without waste of talk. * * *
 It was the unanimous feeling that un hoped-for progress
 toward an excellent, if not ideal, copyright code had
 been made possible, and that the results would prob-
 ably be quicker and better than if the plan of a [copy-
 right] commission had been adopted."

A stenographic report was preserved of the entire pro-
 ceedings. Upon the basis of it and other accumulated
 data there was drafted by the Register of Copyrights a
 statement for consideration at the second session in No-
 vember. For convenience it took the form of a bill; but
 was in effect a series of propositions for discussion.

The second session, also held at New York, lasted four
 days, and included detailed discussion of every proposed
 provision, with arguments for both additions and elimina-

tions. A third, to be held at Washington after the opening of Congress, will consider a new draft taking account of these and of specific criticism, legal and practical, from various sources. The result may be a measure which Congress can adopt without demur.

There have been many endeavors to perfect our copy-^{COPYRIGHT}right laws; but they have been sporadic, as a rule directed ^{LAWS:} to one particular defect, and generally undertaken by the ^{Scope of pro-}single interest having a grievance or, perhaps even less ^{posed reforms} fortunately, by advocates of an abstract justice which ran counter to a particular interest. The proposed measure will represent a very different purpose, method, and authority. Its purpose is indeed justice, but a justice within the general intent of the existing law. It recognizes certain definite defects which entail certain substantial hardships. It summons to conference the interests which in a substantial—not merely theoretic—way are the actual sufferers. And these agree upon the remedies to be recommended. But on considering these remedies they have at hand, prepared by the Copyright Office, in anticipation of this very exigency, careful analyses not merely of the existing copyright laws of the United States and of foreign countries, but of the past statutes, showing the development of the domestic law and even of every bill ever introduced into Congress proposing amendment of it. They have at their service without cost sound legal counsel from the representatives of the American Bar Association, itself a participant; the criticisms of other experts on copyright law, and of the legal advisers of the government. And, furthermore, they have throughout the sympathy and the cooperation, the active aid and the conservative experience of the Copyright Office, with its precise knowledge of existing procedure, which in this case is also a knowledge of the substantive right.

Surely from these elements, joined with the spirit of fairness and of courtesy manifest at the conferences, there should issue a measure entitled to respect.

LEGISLATION NEEDED

In my last report I referred to certain legislation, other than revision of the copyright laws, as needed to facilitate the current administration of the Library. As none of this has yet been provided, I venture to repeat the statement of it:

Postal law. Amendments which—

(1) Will confer upon the Library the privilege of free registration of mail matter, already accorded to various departments and bureaus of the Government.

(2) Will render explicit the privilege upon the part of copyright applicants of free transmission to the Copyright Office of articles deposited under the copyright law. The privilege was granted in 1867, repeated in 1870, but has been cast into doubt, at least, by subsequent general legislation.

(3) Will similarly render explicit the privilege of free transmittal in general of mail matter to and from the Library of Congress on the public business. This has been assumed, but only under the provisions of law touching executive business of the Government in general.

Tariff law. The inclusion of music, *reproductions of photographs, and all other printed material, bound or unbound*, in the description of the articles which, under the act approved July 24, 1897 (par. 500 of sec. 2), may be imported free of duty for the use of the Library of Congress. Music the Library may now import only under paragraph 503 (which exempts public libraries in general). Reproductions of photographs are not now provided for in either paragraph. On some the Library has

already actually paid duty—contrary to the manifest intention of Congress that material for the Government collections and use should enter free.^a

Wilkes Exploring Expedition; Margry Papers. Provision for the final distribution of the fragments or residue of these still remaining in the custody of the Library.

Respectfully submitted

HERBERT PUTNAM

Librarian of Congress

The Honorable

THE PRESIDENT OF THE SENATE

^a Paragraph 500 is now as follows:

"SEC. 2. That on and after the passage of this act, unless otherwise specially provided for in this act, the following articles when imported shall be exempt from duty:

* * * * *

"500. Books, engravings, photographs, etchings (bound or unbound), maps and charts imported by authority or for the use of the United States or for the use of the Library of Congress."

The specifications of paragraph 503 are "books, maps, music, photographs, etchings, lithographic prints, and charts specially imported, etc."

Appendix Ia

APPROPRIATIONS AND EXPENDITURES, 1904-5

	Appropriation	Expended	Unexpended
SALARIES			
Library service:			
General	\$236,660.00	\$235,795.24	\$864.76
Sunday	10,000.00	9,730.96	269.04
Special	^a 2,000.00	1,395.06	694.94
Distribution of card indexes	6,800.00	6,796.94	.06
Copyright Office	74,700.00	74,662.46	37.54
Total	330,250.00	328,353.66	1,896.34
INCREASE OF LIBRARY			
Purchase of books	90,000.00	90,000.00	
Purchase of periodicals	5,000.00	4,992.47	7.53
Purchase of law books	^b 3,000.00	2,091.82	8.18
Exchange of public documents	1,800.00	1,800.00	
Total	99,800.00	99,784.29	15.71
Contingent expenses	7,300.00	7,298.90	1.10
Printing and binding (allotment, not appropriation)	185,000.00	184,990.27	9.73
Grand total	622,350.00	620,427.12	1,922.88

^a Balance of amounts appropriated March 3, 1903, and March 18, 1904.

^b Exclusive of \$1,500 to be expended by the marshal of the Supreme Court for new books of reference for that body.

CONTINGENT EXPENSES IN DETAIL

Object of expenditure	Amount
Stationery supplies	\$4,517.21
Care and repair of automobile delivery wagon	798.52
Horse hire and care of wagon	571.25
Traveling expenses	484.20
Dies, presses, and rubber stamps	307.10
Typewriter supplies	246.75
Postage stamps (foreign correspondence)	288.00
Tools	20.40
Telegrams	49.47
Postoffice box rent, July 1, 1904, to June 30, 1905	16.00
Total	7,298.90

Appendix Ib

APPROPRIATION ACT FOR THE YEAR ENDING JUNE 30, 1906

LIBRARY OF CONGRESS

General administration: For Librarian of Congress, \$6,000; chief assistant librarian, \$4,000; chief clerk, \$2,500; Librarian's secretary, \$1,800; clerk (assistant to chief clerk), \$1,000; 2 stenographers and typewriters, at \$1,000 each; messenger, \$840; in all, \$18,140.

Mail and supply: For assistant in charge, \$1,500; assistant, \$900; messenger boy, \$360; in all, \$2,760.

Packing and stamping: For 2 attendants, at \$720 each, \$1,440.

Order (purchasing): For chief of division, \$2,500; assistant, \$1,500; assistant, \$1,200; 3 assistants, at \$900 each; 2 assistants, at \$720 each; 2 assistants, at \$600 each; assistant, \$520; and 2 messenger boys, at \$360 each; in all, \$11,780.

Catalogue and shelf: For chief of division, \$3,000; 5 assistants, at \$1,800 each; 7 assistants, at \$1,500 each; 6 assistants, at \$1,400 each; 12 assistants, at \$1,200 each; 6 assistants, at \$1,000 each; 14 assistants, at \$900 each; 4 assistants, at \$800 each; 13 assistants, at \$720 each; 3 assistants, at \$600 each; 10 assistants, at \$540 each; 4 assistants, at \$480 each; 6 messengers, at \$360 each; in all, \$87,740.

Binding: For assistant in charge, \$1,200; assistant, \$900; messenger boy, \$360; in all, \$2,460.

Bibliography: For chief of division, \$3,000; assistant, \$1,200; 2 assistants, at \$900 each; assistant, \$720; stenographer, \$900; and 1 messenger boy, \$360; in all, \$7,980.

Reading rooms (including evening service) and special collections: For superintendent of reading room, \$3,000; 2 assistants, at \$1,500 each; 4 assistants, at \$1,200 each; 1 assistant (reading room for the blind), \$1,200; 5 assistants,

at \$900 each; 10 assistants, at \$720 each; 1 attendant, Senate reading room, \$900; 1 attendant, Representatives' reading room, \$900; 1 attendant, Representatives' reading room, \$720; 2 attendants, cloakrooms, at \$720 each; 1 attendant, Toner Library, \$900; 1 attendant, Washingtonian Library, \$900; 4 messenger boys, at \$360 each; 2 watchmen, at \$720 each; evening service: 5 assistants, at \$900 each; 15 assistants, at \$720 each; in all, \$47,640.

Periodical (including evening service): For chief of division, \$2,000; chief assistant, \$1,500; 2 assistants, at \$900 each; 3 assistants, at \$720 each; 2 messenger boys, at \$360 each; for arrears of sorting and collating and to enable periodical reading room to be open in the evenings, 2 assistants, at \$720 each; in all, \$9,620.

Documents: For chief of division, \$3,000; assistant, \$1,200; stenographer and typewriter, \$900; assistant, \$720; messenger, \$360; in all, \$6,180.

Manuscript: For chief of division, \$3,000; assistant, \$1,500; assistant, \$900; messenger boy, \$360; in all, \$5,760.

Maps and charts: For chief of division, \$3,000; assistant, \$1,200; 2 assistants, at \$900 each; assistant, \$720; messenger boy, \$360; in all, \$7,080.

Music: For chief of division, \$2,000; assistant, \$1,400; assistant, \$1,000; 2 assistants, at \$720 each; messenger boy, \$360; in all, \$6,200.

Print: For chief of division, \$2,000; assistant, \$1,200; 2 assistants, at \$900 each; messenger, \$360; in all, \$5,360.

Smithsonian deposit: For custodian, \$1,500; assistant, \$1,200; messenger, \$720; messenger boy, \$360; in all, \$3,780.

Congressional Reference Library: For custodian, \$1,500; assistant, \$1,200; assistant, \$900; assistant, \$720; 2 messenger boys, at \$360 each; in all, \$5,040.

Law Library: For custodian, \$2,500; 2 assistants, at \$1,400 each; messenger, \$900; assistant for evening service, \$1,500; in all, \$7,700.

COPYRIGHT OFFICE, under the direction of the Librarian of Congress: Register of copyrights, \$3,000; chief clerk and chief of bookkeeping division, \$2,000; chief of application

division, \$2,000; 2 clerks, at \$1,800 each; 4 clerks, at \$1,600 each; 8 clerks, at \$1,400 each; 10 clerks, at \$1,200 each; 8 clerks at \$1,000 each; 13 clerks, at \$900 each; 2 clerks, at \$800 each; 10 clerks, at \$720 each; 1 clerk, \$600; 2 messenger boys, at \$360 each. Arrears, special service: 3 clerks, at \$1,200 each; porter, \$720; messenger boy, \$360; in all, \$74,700.

For service in connection with the distribution of card indexes and other publications of the Library, \$7,800.

For special, temporary, and miscellaneous service, at the discretion of the Librarian, to continue available until expended, \$2,000.

To enable the Library of Congress to be kept open for reference use from 2 until 10 o'clock p. m. on Sundays and legal holidays, within the discretion of the Librarian, including the extra services of employees and the services of additional employees under the Librarian, \$10,000, or so much thereof as may be necessary.

INCREASE OF LIBRARY OF CONGRESS: For purchase of books for the Library, and for freight, commissions, and traveling expenses incidental to the acquisition of books by purchase, gift, or exchange, \$90,000;

For purchase of books and for periodicals for the law library, under the direction of the Chief Justice, \$3,000;

For purchase of new books of reference for the Supreme Court, to be a part of the Library of Congress and purchased by the marshal of the Supreme Court, under the direction of the Chief Justice, \$1,500;

For purchase of miscellaneous periodicals and newspapers, \$5,000;

In all, \$99,500.

For miscellaneous and contingent expenses of the Library, stationery, supplies, and all stock and materials directly purchased, miscellaneous traveling expenses, postage, transportation, and all incidental expenses connected with the administration of the Library and the Copyright Office, which sum shall be so apportioned as to prevent a deficiency therein, \$7,300.

CUSTODY, CARE, AND MAINTENANCE OF LIBRARY BUILDING AND GROUNDS: For superintendent of the Library build-

ing and grounds, \$5,000; chief clerk, \$2,000; clerk, \$1,600; clerk, \$1,400; clerk, \$1,000; 1 messenger; 1 assistant messenger; 2 telephone operators, at \$600 each; captain of watch, \$1,400; lieutenant of watch, \$1,000; 18 watchmen; carpenter, \$900; painter, \$900; foreman of laborers, \$900; 14 laborers, at \$480 each; 2 attendants in ladies' room, at \$480 each; 2 check boys, at \$360 each; mistress of charwomen, \$425; assistant mistress of charwomen, \$300; 45 charwomen; chief engineer, \$1,500; 1 assistant engineer, \$1,200; 3 assistant engineers, at \$1,000 each; electrician, \$1,500; assistant electrician, \$1,000; machinist, \$1,000; machinist, \$900; 2 wiremen, at \$900 each; plumber, \$900; 3 elevator conductors, at \$720 each; 9 firemen; 6 skilled laborers, at \$720 each; in all, \$77,505.

For extra services of employees and additional employees under the superintendent of Library building and grounds to provide for the opening of the Library building from 2 until 10 o'clock p. m. on Sundays and legal holidays, \$2,800.

For fuel, lights, repairs, and miscellaneous supplies, electric and steam apparatus, reference books, stationery, and all incidental expenses in connection with the custody, care, and maintenance of said building and grounds, \$32,500.

For furniture, including partitions, screens, shelving, and electrical work pertaining thereto, \$40,000.

Appendix II

REPORT OF THE REGISTER OF COPYRIGHTS FOR THE FISCAL YEAR 1904-5

Washington, D. C., July 6, 1905

The copyright business and the work of the Copyright Office for the fiscal year from July 1, 1904, to June 30, 1905, inclusive, are summarized as follows:

RECEIPTS

The gross receipts during the year were \$80,440.56. A *Fees, etc.* balance of \$2,165.29, representing trust funds and unfinished business, was on hand July 1, 1904, making a total of \$82,605.85 to be accounted for. Of this amount the sum of \$2,430.92 was refunded, having been sent to the Copyright Office as excess fees or as fees for articles not registrable, leaving a net balance of \$80,174.93. The balance carried over July 1, 1905, was \$2,116.93 (representing trust funds, \$1,674.46, and total unfinished business since July 1, 1897—eight years—\$442.47), leaving for fees applied during the fiscal year 1904-5, \$78,058.

EXPENDITURES

The appropriation made by Congress for salaries in the *Salaries* Copyright Office for the fiscal year ending June 30, 1905, was \$74,700. Of this amount the total expenditure for salaries was \$74,662.46, or \$3,395.54 less than the net amount of fees earned and paid into the Treasury during the corresponding year. The expenditure for supplies, except furniture, including stationery and other articles, and postage on foreign mail matter, etc., was \$967.72.

The copyright fees received and paid into the United *Copyright fees* States Treasury during the last eight years, from July 1,

1897, to June 30, 1905, amount to \$527,335.50, while the sum used of the appropriations for salaries during that period was \$427,588.22, leaving an excess of fees over appropriations used for service for the eight years of \$99,747.28.

Copyright deposits

During these same eight years the articles received as deposits amount to the grand total of 1,276,143 pieces, including two copies each of 68,310 books and pamphlets, 37,245 leaflets, 55,946 periodical contributions, 6,216 dramatic compositions, 140,200 separate numbers of periodicals, 155,690 musical compositions, 12,576 maps and charts, 43,471 engravings, cuts, and prints, 13,244 chromos and lithographs, 94,537 photographs, and 389 miscellaneous articles. In addition to the above, 20,495 photographs were deposited to identify the same number of original works of art—paintings, drawings, and statuary—of which the descriptions had been filed. Many of these articles are of considerable value.

COPYRIGHT ENTRIES AND FEES

Registrations

The entries of titles for the fiscal year reached the highest number in the history of the Copyright Office, namely, 113,374. Of these entries 103,544 were titles of the productions of citizens or residents of the United States, and 9,830 were titles of works of foreigners. The fees for these entries were: United States, \$51,772; foreign, \$9,830, or a total of \$61,602.

Certificates, etc.

Of the foreign entries 2,831 were with certificates, and of the United States entries 25,425, or a total of 28,256 certificates, at fees amounting to \$14,128. In addition, 2,958 copies of record were furnished for \$1,479 in fees; assignments to the number of 703 were recorded and certified, at a charge of \$808, and search fees charged to the amount of \$41. The total copyright fees for the year amounted to \$78,058. The details of the Copyright Office business and applied fees are set out in Exhibits A, B, and C.

The number of entries in each class from July 1, 1904, to June 30, 1905, as compared with the number of entries made in the previous fiscal year, is seen in Exhibit F.

COPYRIGHT DEPOSITS

The various articles deposited in compliance with the copyright law, which have been receipted for, stamped, credited, indexed, and catalogued during the fiscal year amount to 207,424. This is a gain of 22,625 over the preceding fiscal year. The number of these articles in each class for the eight fiscal years is shown in Exhibit G, and indicates a grand total of 1,276,143 articles received in the eight years. *Articles deposited*

COPYRIGHT CATALOGUE AND INDEX

The usual four quarterly volumes of the Catalogue of Title Entries were printed, containing 5,289 pages. *Catalogue*

The title index cards for the fiscal year number 181,709. After having been first used as the copy for the printed catalogue required to be produced weekly by the act of Congress of March 3, 1891 (51st Cong., 2d sess., ch. 565), these cards are added to the permanent card indexes of the copyright entries, which now number a total of over 1,213,000 cards. *Index cards*

CIRCULARS AND BULLETINS

The customary "Semi-Annual Statements" were issued on July 2, 1904, and January 3, 1905, setting out in condensed form the statistics of the copyright business for the fiscal year 1903-4, and for the calendar year 1904, respectively. Of the usual "Circulars of Information," thirteen were reprinted during the year, as new editions were required. The text of the new copyright act of March 3, 1905, was printed, with a brief summary of the proceedings in Congress leading to its enactment, and also with explicit directions for making application under the new law, in French and in German as well as in English. *Semi-annual statements*
Circulars

New revised editions were printed of the Copyright Office Bulletins Nos. 1 and 2, containing the copyright laws, and the directions for making application for copyright registration, while two new bulletins, Nos. 8 and 9, were pub-

lished during the year. The full titles of these publications are as follows:

- New editions of* 1. The Copyright Law of the United States of America, in force
Bulletins Nos. 1 and 2 March 3, 1905, 6th edition. 30 pp. + 1 l. 8°.
2. Directions for the registration of copyrights under the laws of the United States. 44 pp. 8°.
- New Bulletins* 8. Copyright in Congress 1789-1904. A Bibliography, and a Chronological Record of all Proceedings in Congress in relation to Copyright from April 15, 1789, to April 28, 1904, First Congress, first session, to Fifty-eighth Congress, second session. 468 pp. 8°.
9. The Provisions of the United States Copyright Laws with a summary of some parallel provisions of the copyright laws of foreign countries. 51 pp. 4°.

Recapitulation:
Receipts

SUMMARY

Balance on hand July 1, 1904.....	\$2, 165. 29
Gross receipts July 1, 1904, to June 30, 1905.....	80, 440. 56
Total to be accounted for.....	\$82, 605. 85
Refunded.....	2, 430. 92
Balance to be accounted for.....	<u>\$80, 174. 93</u>
Applied as fees earned.....	78, 058. 00
Balance carried over to July 1, 1905:	
Trust funds.....	1, 674. 46
Unfinished business, July 1, 1897, to June 30, 1905, eight years.....	442. 47
	<u>2, 116. 93</u>
	<u>80, 174. 93</u>
Total fees earned and paid into the Treasury during the eight fiscal years from July 1, 1897, to June 30, 1905 ...	527, 335. 50
Total unfinished business for the eight years.....	442. 47

ENTRIES

<i>Registrations, etc.</i> Number of entries of United States productions recorded.....	103, 544
Number of entries of foreign productions recorded.....	9, 830
Total number of titles recorded.....	<u>113, 374</u>
Number of certificates of United States entries.....	25, 425
Number of certificates of foreign entries.....	2, 831
Total number of certificates.....	<u>28, 256</u>
Number of certified copies of record.....	2, 958
Number of assignments recorded.....	703

FEEES

Fees for entry of titles, United States productions, at 50 cents each.....	\$51,772.00	<i>Applied fees</i>
Fees for entry of titles of foreign productions, at \$1 each.....	9,830.00	
Total fees for titles recorded.....	\$61,602.00	
Fees for certificates, United States entries, at 50 cents each.....	12,712.50	
Fees for certificates, foreign entries, at 50 cents each.....	1,415.50	
Total fees for certificates.....	14,128.00	
Fees for certified copies of record, at 50 cents each.....	1,479.00	
Fees for recording assignments.....	808.00	
Eight searches made and charged for at the rate of 50 cents for each hour of time consumed.....	41.00	
Total fees.....	78,058.00	

CONDITION OF COPYRIGHT OFFICE WORK

(a) Current work

The current work of the Copyright Office is now kept as nearly up to date as is possible in an office where the daily business is so fluctuating. During the year the title registrations have varied from 141 in one day to 3,320 on another day. *State of work*

At this date (July 6, 1905) the remittances received up to the third mail of the day have been recorded and acknowledged; the account books of the bookkeeping division are written up and posted to June 30, and the accounts rendered to the Treasury Department are settled up to and including the month of June, while earned fees to June 30, inclusive, have been paid into the Treasury. *Accounts*

All copyright applications received up to and including June 30 have been passed upon and refunds made. The total unfinished business for the full eight years, from July 1, 1897, to June 30, 1905, amounts to but \$442.47.

At the close of business on July 6, 1905, notwithstanding the intervening Saturday half holiday and Sunday, the titles for record in all classes had been dated, classified, and numbered to June 30, and all titles had been indexed up to June 30. *Titles recorded*

Deposit

The articles of all classes deposited had been stamped, catalogued, and credited up to the receipts of June 30, inclusive.

The Catalogue of Title Entries had been brought forward to No. 730 of June 29, 1905.

The certificate and noncertificate entries (all classes, except A to June 27, and B and C to June 28) had been recorded to June 30, inclusive, and certificates and notices of entry to the same date made, revised, and mailed.

(b) Copyright business prior to July 1, 1897

Arrears

Congress in the appropriation act for the fiscal year just closed continued the special force for work on the arrears of Copyright Office business prior to July 1, 1897. The examination and arrangement of the mass of deposits has been continued, and 51,868 credited musical compositions (previously arranged by years of entry) have been given a more exact arrangement and conveniently shelved for future reference.

Credited articles to the number of 44,263 (including 6,083 pamphlets, 12,932 leaflets, 9,694 periodicals, and 14,071 musical compositions) have been properly filed away under year and number. In the work of crediting deposits, 18,494 articles were handled, and 17,722 articles (including 2,083 pamphlets and 14,208 musical compositions) were credited and properly filed away. In the case of 772 articles identification and credit could not be made, and they were accordingly indexed and filed for convenient reference, those which were desired by the Library being forwarded to the shelves for use.

Index cards (title and proprietor) for dramatic compositions to the number of 14,811 were written.

At the close of business June 30, 1905, there remained uncredited in the files of the Copyright Office 174,325 articles deposited prior to July 1, 1897, as follows:

Books	1,609
Pamphlets and leaflets	41,763
Periodical contributions	3,138
Periodicals	19,890
Musical compositions	64,749

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Dramatic compositions:	
Typewritten	386
Printed	239
Manuscript, etc	27
	652
Maps:	
Sheet maps	1,605
Insurance maps	7,315
Roll maps and charts	85
Atlases	4
Engravings, cuts, and prints	11,018
Dress prints	2,552
Chromos and lithographs	3,831
Posters	3,450
Photographs	10,666
Stereographs	373
Kinetographs	45
Fine art photographs	10
Miscellany:	
Games	465
Other miscellany	1,105
	174,325
Total	174,325

COPYRIGHT LEGISLATION

During the third session of the Fifty-eighth Congress six copyright bills were pending. Of these one became law, being approved on March 3, 1905. This bill, originally introduced by Senator Platt, of Connecticut, on January 15, 1902, was printed as Senate bill No. 2894 of the Fifty-seventh Congress, first session, and referred to the Senate Committee on Patents, but was not reported on. The bill provided that in the case of a foreign book in a foreign language two copies of the original foreign edition might be deposited in the Copyright Office within thirty days after publication abroad, the title of the work having been previously filed "on or before the day of publication in this or any foreign country," accompanied with either (*a*) an affidavit declaring that the claimant was the author of the book, or (*b*) evidence that he was the author's executor or administrator, or (*c*) an assignment to him from the author. No person should have copyright in such book, however, after the expiration of twelve months from first publication abroad, unless two copies of the work were delivered at the Library of Congress

within said twelve months, printed from type set within the limits of the United States or from plates made therefrom, "either in the language of origin, or in a version or translation thereof in English or some other language." During this interval the importation of copies of the original work was to be permitted, such copies requiring no notice of copyright.

No action having been taken upon this bill, a substitute bill was presented by Senator Platt, of Connecticut, on November 16, 1903. This was printed as Senate bill No. 849 of the Fifty-eighth Congress, first session, but an error having occurred in the printing, it was reintroduced on December 8, 1903, and again ordered printed as Senate bill No. 2229, and referred to the Committee on Patents. From that committee it was reported on January 8, 1904, with the recommendation that it should be passed without amendment.

Meantime, on December 9, 1903, the bill had been presented in the House of Representatives by Mr. Currier, of New Hampshire, referred to the House Committee on Patents, and ordered printed as House bill No. 6487. From this committee the bill was sent back to the House of Representatives on March 1, 1904, with a detailed report (House Report No. 1287), and an amendment to the effect that the act should 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 the same basis as is given to its citizens by this Act." On December 14, 1904, the bill was passed by the House of Representatives, amended as proposed by the House Committee on Patents.

The House act, referred to the Senate Committee on Patents on December 15, 1904, was reported on January 27, 1905, with a verbal amendment to the effect that the act should only apply when the foreign country concerned permitted to citizens of the United States the "benefit of copyright on substantially the same basis as to its own citizens." On January 30 the bill from the Committee on Patents was brought up in the Senate, but was met with the objection that it failed to provide for a

notice of the reservation of copyright. Thereupon Senator Platt let the bill go over without action, and on February 2 presented a substitute bill (submitted at his request by the Register of Copyrights) as an amendment. This was passed by the Senate on March 3, 1905, and on the same day received an affirmative vote in the House. The text of the new legislation is given here, with the wording of the House act as reported by the Senate Committee on Patents, in parallel columns:

[H. R. Act 6487 as amended by the Senate Committee on Patents.]

"Whenever the author or proprietor of a book in a foreign language, which shall be published in a foreign country before the day of publication in this country, or his executors, administrators, or assigns, shall, within twelve months after the first publication of such book in a foreign country, obtain a copyright for a translation of such book in the English language, which shall be the first copyright in this country for a translation of such book, he and they shall have, during the term of such copyright, the sole liberty of printing, reprinting, publishing, vending, translating, and dramatizing the said book, and, in the case of a dramatic composition, of publicly performing the same, or of causing it to be performed or represented by others: *Provided*, 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."

[Act of March 3, 1905, as approved.]

"Whenever the author or proprietor of a book in a foreign language, which shall be published in a foreign country before the day of publication in this country, or his executors, administrators, or assigns, shall deposit one complete copy of the same, including all maps and other illustrations, in the Library of Congress, Washington, District of Columbia, within thirty days after the first publication of such book in a foreign country, and shall insert in such copy, and in all copies of such book sold or distributed in the United States, on the title page or the page immediately following, a notice of the reservation of copyright in the name of the proprietor, together with the true date of first publication of such book, in the following words: 'Published _____, nineteen hundred and ____ . Privilege of copyright in the United States reserved under the Act approved March third, nineteen hundred and five, by _____,' and shall, within twelve months after the first publication of such book in a foreign country, file the title of such book and deposit two copies of it in the original language or, at his option, of a translation of it in the English language, printed from type set

within the limits of the United States, or from plates made therefrom, containing a notice of copyright, as provided by the copyright laws now in force, he and they shall have during the term of twenty-eight years from the date of recording the title of the book or of the English translation of it, as provided for above, the sole liberty of printing, reprinting, publishing, vending, translating, and dramatizing the said book: *Provided*, 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."

THE CONSOLIDATION AND AMENDMENT OF THE COPYRIGHT LAWS

It has been generally admitted that the copyright laws need amendment and that such amendment should be secured by the substitution of one general law in place of the thirteen laws which now have to do with copyright.

The Senate Committee on Patents which deals with copyright legislation, in view of this admitted necessity for amendment of the copyright laws, made public its purpose, in Senate Report 3380, 58th Congress, third session, January 27, 1905, "to attempt a codification of the copyright laws at the next session of Congress."

Upon the suggestion of the chairman of the Senate Committee on Patents, the Librarian of Congress called a conference of representatives of the organizations interested in copyright legislation, and a session was held in New York, May 31-June 2, 1905.

The result of the deliberations of this conference was to entrust the Copyright Office with the formulation of

a tentative draft of a bill for such a consolidation of the copyright laws. A memorandum draft will be accordingly prepared and submitted to a second session of the Conference on Copyright, to be held in New York on November 1, 1905. It is hoped that after being duly considered and discussed this tentative draft may form the basis for a bill for the general amendment of the copyright laws.

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, 1905

	Gross cash receipts	Refunds	Net receipts	Fees applied
1904				
July	\$5,540.30	\$228.71	\$5,311.59	\$5,553.50
August	5,770.70	154.85	5,615.85	5,707.50
September	6,840.35	152.68	6,687.67	6,431.50
October	6,704.89	167.32	6,537.57	6,873.00
November	6,056.79	231.67	5,825.12	5,653.00
December	7,699.47	185.05	7,514.42	6,760.00
1905				
January	8,946.60	214.17	8,732.43	9,432.50
February	9,029.62	139.15	8,890.47	5,544.50
March	7,311.09	283.20	7,027.89	7,266.00
April	6,806.66	209.06	6,597.60	6,035.00
May	6,531.99	221.02	6,310.97	6,014.50
June	6,192.29	243.44	5,948.85	6,187.00
Total	80,440.56	2,430.92	78,009.64	78,058.00
Balance brought forward from June 30, 1904				\$2,165.29
Gross receipts July 1, 1904, to June 30, 1905				80,440.56
Total				82,605.85
Less amount refunded				3,430.92
To be accounted for				80,174.93
Balance carried forward July 1, 1905:				
Trust funds			\$1,674.46	
Unfinished business			442.47	
				2,116.93
Fees applied July 1, 1904, to June 30, 1905				78,058.00

EXHIBIT B—Statement of fees paid into Treasury

Date	Check number	Amount	Date	Check number	Amount
1904			1905		
July 5.....	445	\$300.00	Jan. 3.....	475	\$2,160.00
11.....	446	1,000.00	9.....	476	3,500.00
18.....	447	1,200.00	16.....	477	2,500.00
25.....	448	1,500.00	23.....	478	1,200.00
Aug. 1.....	449	1,200.00	30.....	479	1,700.00
4.....	450	353.50	Feb. 3.....	480	532.50
8.....	451	1,000.00	6.....	481	800.00
15.....	452	1,400.00	13.....	482	1,200.00
22.....	453	1,000.00	20.....	483	1,400.00
29.....	454	1,400.00	27.....	484	1,500.00
Sept. 6.....	455	907.50	Mar. 6.....	485	644.50
12.....	456	1,600.00	8.....	486	600.00
19.....	457	1,400.00	13.....	487	1,500.00
26.....	458	1,200.00	20.....	488	1,600.00
Oct. 3.....	459	2,000.00	27.....	489	1,800.00
5.....	460	231.50	Apr. 3.....	490	1,500.00
10.....	461	1,400.00	4.....	491	200.00
17.....	462	1,500.00	10.....	492	1,500.00
24.....	463	1,400.00	17.....	493	1,800.00
31.....	464	1,600.00	24.....	494	1,800.00
Nov. 3.....	465	973.00	May 1.....	495	1,300.00
7.....	466	650.00	4.....	496	235.00
14.....	467	1,400.00	8.....	497	1,200.00
21.....	468	1,400.00	15.....	498	1,400.00
28.....	469	1,400.00	22.....	499	1,400.00
Dec. 3.....	470	803.00	29.....	500	1,400.00
5.....	471	500.00	June 5.....	501	500.00
12.....	472	1,200.00	7.....	502	614.50
19.....	473	1,500.00	12.....	503	1,200.00
27.....	474	1,400.00	19.....	504	1,400.00
			26.....	505	1,600.00
			July 3.....	506	1,200.00
			6.....	507	287.00
			Total.....		78,058.00

Register of Copyrights

EXHIBIT C—Record of applied fees

Month	Number of titles, foreign productions	Fees at \$1 each	Number of titles, United States productions	Fees at 50 cents each	Total number of titles entered	Total monthly applied fees for titles recorded	Number of certificates, foreign	Fees at 50 cents each
1904								
July	780	\$780.00	6,998	\$3,499.00	7,778	\$4,279.00	327	\$163.50
August	749	749.00	7,310	3,655.00	8,059	4,404.00	239	119.50
September	797	797.00	7,690	3,845.00	8,487	4,642.00	255	127.50
October	1,127	1,127.00	8,199	4,099.50	9,326	5,226.50	499	249.50
November	773	773.00	7,336	3,668.00	8,109	4,441.00	242	121.00
December	1,127	1,127.00	8,399	4,154.50	9,436	5,281.50	226	113.00
1905								
January	814	814.00	14,302	7,151.00	15,116	7,965.00	261	130.50
February	719	719.00	7,220	3,610.00	7,939	4,329.00	172	86.00
March	904	904.00	9,975	4,987.50	10,879	5,891.50	201	100.50
April	667	667.00	9,399	4,699.50	10,066	5,366.50	189	94.50
May	714	714.00	8,131	4,065.50	8,845	4,779.50	118	59.00
June	650	650.00	8,675	4,337.50	9,334	4,987.50	102	51.00
Total	9,830	9,830.00	103,544	51,772.00	113,374	61,602.00	2,831	1,415.50

Month	Number of certificates, United States	Fees at 50 cents each	Total certificates	Fees at 50 cents each	Copies of record	Fees at 50 cents each	Assignments Charge for assignments	Search fees	Total applied fees
1904									
July	1,997	\$998.50	2,324	\$1,162.00	111	\$55.50	48 \$56.00	\$1.00	\$5,553.50
August	2,125	1,062.50	2,394	1,197.00	161	80.50	58 41.00		5,797.50
September	1,985	992.50	2,240	1,120.00	157	578.50	46 87.00	4.00	6,431.50
October	2,275	1,137.50	2,774	1,387.00	385	192.50	50 67.00		6,873.00
November	1,892	946.00	2,134	1,067.00	162	81.00	50 64.00		5,653.00
December	2,273	1,136.50	2,499	1,249.50	269	134.50	55 75.00	19.50	6,760.00
1905									
January	2,400	1,204.50	2,670	1,335.00	119	59.50	68 71.00	2.00	9,432.50
February	1,997	993.50	2,079	1,039.50	131	65.50	79 96.00	14.50	5,544.50
March	2,292	1,146.00	2,493	1,246.50	104	52.00	73 76.00		7,266.00
April	2,193	1,096.50	2,292	1,146.00	119	59.50	55 63.00		6,635.00
May	2,075	1,037.50	2,193	1,096.50	153	76.50	60 62.00		6,014.50
June	2,092	1,046.00	2,194	1,097.00	87	43.50	49 50.00		6,187.00
Total	25,425	12,712.50	28,256	14,128.00	2,958	1,479.00	793 808.00	41.00	78,958.00

EXHIBIT D—Copyright business (monthly comparison). Annual report for the fiscal year July 1, 1904, to June 30, 1905

[Comparative monthly statement of gross cash receipts, executed business, number of entries, daily averages, etc.]

Month	Gross receipts				Business executed			
	Monthly receipts	Monthly increase	Monthly decrease	Daily average	1904-5	Increase	Decrease	Daily average
1904								
July	\$5,540.30		\$762.97	\$221.60	\$5,553.50		\$606.00	\$222.14
August	5,770.70	\$230.40		213.73	5,707.50	\$154.00		211.39
September	6,849.35	1,078.65		273.97	6,431.50	724.00		257.26
October	6,704.89		144.46	257.88	6,873.00	441.50		264.35
November	6,056.79		648.10	242.27	5,653.00		1,220.00	226.12
December	7,699.47	1,642.68		296.13	6,760.00	1,107.00		260.00
1905								
January	8,946.60	1,247.13		357.86	9,432.50	2,672.50		377.30
February	6,029.62		2,916.98	262.16	5,544.50		3,888.00	241.06
March	7,311.90	1,282.28		281.23	7,266.00	1,721.50		279.46
April	6,806.66		505.24	272.26	6,635.00		631.00	265.40
May	6,531.99		274.67	251.23	6,014.50		620.50	231.33
June	6,192.29		339.70	238.16	6,187.00	172.50		237.96
Total	80,440.56				78,058.00			
Number of entries								
Month	Foreign	United States	Total	Increase	Decrease	Average		
1904								
July	780	6,698	7,778		924	311		
August	749	7,310	8,059	281		298		
September	797	7,690	8,487	428		326		
October	1,127	8,190	9,326	839		358		
November	773	7,336	8,109		1,217	324		
December	1,127	8,309	9,436	1,327		363		
1905								
January	814	14,302	15,116	5,680		605		
February	719	7,220	7,939		7,177	345		
March	904	9,975	10,879	2,940		418		
April	667	9,399	10,066		813	402		
May	714	8,131	8,845		1,221	340		
June	650	8,675	9,334	489		359		
Total	9,830	103,544	113,374					

EXHIBIT F.—Statement of gross cash receipts, business executed, number of entries, etc., for eight fiscal years, 1897-98, 1898-99, 1899-1900, 1900-1901, 1901-2, 1902-3, 1903-4, 1904-5

Month	GROSS RECEIPTS							
	1897-98	1898-99	1899-1900	1900-1901	1901-2	1902-3	1903-4	1904-5
July.....	\$4,257.70	\$5,102.71	\$5,156.87	\$5,571.51	\$5,382.25	\$5,429.52	\$5,350.97	\$5,510.30
August.....	4,525.27	4,075.96	4,846.97	5,504.65	4,880.60	4,504.56	4,958.30	5,770.70
September.....	5,218.87	4,714.52	6,078.95	4,986.62	5,295.57	5,539.67	5,658.45	6,849.35
October.....	5,556.21	5,149.07	5,585.59	6,027.30	5,399.03	5,651.16	6,323.42	6,704.89
November.....	4,292.88	4,758.30	5,479.15	5,068.11	5,019.10	5,049.93	5,393.93	6,056.79
December.....	6,512.60	6,435.56	6,728.06	7,332.53	7,201.64	8,005.75	8,581.60	7,699.47
January.....	9,074.03	6,050.86	7,649.80	7,155.68	7,604.05	8,053.51	7,502.53	8,946.60
February.....	4,606.92	5,141.40	5,523.47	4,803.50	4,810.59	5,360.45	6,185.14	6,029.62
March.....	5,138.75	6,300.02	6,515.43	6,049.07	5,899.56	6,119.54	6,567.73	7,311.90
April.....	5,053.21	5,198.69	6,086.52	5,789.03	5,580.14	6,005.89	5,996.58	6,806.66
May.....	5,386.93	5,593.50	5,760.36	5,580.11	5,762.92	5,395.02	6,540.58	6,531.99
June.....	4,476.16	5,034.73	5,762.86	5,297.05	5,569.27	5,821.58	6,303.27	6,192.29
Total.....	61,099.56	64,155.65	71,072.33	69,525.25	65,405.08	71,533.91	75,302.83	80,440.56

EXHIBIT E—Statement of gross cash receipts, business executed, number of entries, etc., for eight fiscal years, 1897-98, 1898-99, 1899-1900, 1900-1901, 1901-2, 1902-3, 1903-4, 1904-5—Continued

BUSINESS EXECUTED

Month	1897-98	1898-99	1899-1900	1900-1901	1901-2	1902-3	1903-4	1904-5
July	\$3,769.00	\$4,724.50	\$4,789.50	\$5,115.00	\$4,886.50	\$4,781.00	\$5,001.00	\$5,553.50
August	4,296.00	4,266.50	4,709.50	5,404.50	4,837.50	4,599.00	5,043.50	5,707.50
September	4,559.50	4,537.50	5,357.50	4,738.00	4,828.00	5,388.50	5,406.00	6,431.50
October	4,899.00	4,744.00	5,317.00	5,494.50	5,175.50	5,492.50	5,945.50	6,873.00
November	4,062.00	4,269.50	4,810.50	4,500.50	4,360.00	5,242.00	5,250.50	5,653.00
December	5,262.00	5,088.50	5,183.00	6,339.00	6,176.50	7,228.50	7,441.00	6,760.00
January	6,224.50	6,192.50	8,000.50	6,410.50	7,765.00	8,107.00	8,120.50	9,432.50
February	4,204.00	4,505.50	5,032.50	4,546.50	4,629.00	5,159.00	6,001.50	5,544.50
March	4,865.00	5,312.50	5,871.50	5,416.50	5,473.50	5,993.00	6,146.50	7,266.00
April	4,835.50	4,899.00	5,535.50	5,653.50	5,271.50	6,025.00	5,953.50	6,635.00
May	4,610.50	5,076.00	5,229.50	5,045.50	5,809.00	5,074.50	6,160.00	6,014.50
June	4,339.50	4,651.00	5,369.50	5,023.50	5,475.00	5,784.50	6,159.50	6,187.00
Total	55,926.50	58,267.00	65,206.00	63,687.50	64,687.00	68,874.50	72,629.00	78,058.00

EXHIBIT E—Statement of gross cash receipts, business executed, number of entries, etc., for eight fiscal years, 1897-98, 1898-99, 1899-1900, 1900-1901, 1901-2, 1902-3, 1903-4, 1904-5—Continued

NUMBER OF ENTRIES

Month	1897-98	1898-99	1899-1900	1900-1901	1901-2	1902-3	1903-4	1904-5
July	5,015	5,653	6,835	7,514	7,010	6,748	7,107	7,778
August	5,618	6,005	6,525	7,822	6,776	6,451	7,147	8,059
September	6,106	6,188	7,571	6,685	6,684	7,132	7,605	8,487
October	6,368	6,316	7,627	7,901	7,305	7,771	8,289	9,326
November	5,288	5,682	6,814	6,210	5,909	7,397	7,352	8,109
December	7,408	7,288	7,284	9,693	9,190	10,792	10,248	9,436
January	9,220	9,556	12,808	9,871	12,241	12,808	12,546	15,116
February	5,514	6,552	7,521	6,421	6,333	7,144	8,519	7,939
March	6,350	7,417	8,311	7,755	7,757	8,663	8,657	10,879
April	6,494	6,824	8,089	8,062	7,527	7,839	8,412	10,066
May	6,222	6,888	7,508	6,974	8,325	6,907	8,546	8,845
June	5,942	6,589	7,995	7,443	7,921	8,327	8,702	9,334
Total	75,545	80,968	94,798	92,351	92,978	97,979	103,130	113,374

COMPARATIVE STATEMENT OF GROSS RECEIPTS, YEARLY FEES,
AND NUMBER OF ENTRIES

Year	Gross receipts	In-crease	De-crease	Yearly fees	In-crease	De-crease	Number of entries	In-crease	De-crease
	<i>Dollars</i>	<i>Dollars</i>	<i>Dollars</i>	<i>Dollars</i>	<i>Dollars</i>	<i>Dollars</i>			
1897-98	61,099.56			55,926.50			75,545		
1898-99	54,185.65	3,086.09		58,267.00	2,340.50		80,968	5,423	
1899-1900	71,072.33	6,886.68		65,206.00	6,939.00		94,798	13,830	
1900-1901	69,525.25		1,547.08	63,687.50		1,518.50	92,351		2,447
1901-2	68,408.08		1,120.17	64,687.00		999.50	92,978		627
1902-3	71,533.91	3,128.83		68,874.50	4,187.50		97,979	5,001	
1903-4	75,302.83	3,768.92		72,629.00	3,754.50		103,130	5,151	
1904-5	80,440.56	5,137.73		78,058.00	5,429.00		113,374	10,244	

EXHIBIT F—Table of entries of titles made during the fiscal years
1901-2, 1902-3, 1903-4, and 1904-5, arranged by classes

	1901-2	1902-3	1903-4	1904-5
Class A. Books:				
(a) Books (vols.) and pamphlets.....	8,399	10,589	15,870	16,037
(b) Booklets, leaflets, circulars, cards.....	9,174	7,827	3,361	3,390
(c) Newspaper and magazine articles.....	6,699	8,050	8,593	10,457
Total.....	24,272	26,466	27,824	29,860
Class B. Periodicals (numbers).....	21,071	22,625	21,496	22,501
Class C. Musical compositions.....	19,706	21,161	23,110	24,595
Class D. Dramatic compositions.....	1,448	1,608	1,571	1,645
Class E. Maps and charts.....	1,708	1,792	1,767	1,831
Class F. Engravings, cuts, and prints.....	5,909	5,546	6,510	11,303
Class G. Chromos and lithographs.....	2,010	2,232	2,384	2,581
Class H. Photographs.....	13,923	13,519	14,534	15,139
Class I. Fine arts: Paintings, drawings, and sculpture.....	2,841	3,030	3,934	3,829
Grand total.....	92,978	97,979	103,130	113,374

Register of Copyrights

EXHIBIT G—Table of articles deposited during eight fiscal years, 1897-98, 1898-99, 1899-1900, 1900-1901, 1901-2, 1902-3, 1903-4, 1904-5

	1897-98	1898-99	1899-1900	1900-1901	1901-2	1902-3	1903-4	1904-5	Total
1. Books:									
(a) Books proper.....	5,575	5,731	6,554	7,746	7,047	9,222	12,997	13,379	78,319
(b) Volumes, circulars, leaflets, etc.....	3,198	4,176	5,073	5,770	7,254	8,385	8,051	2,612	57,215
(c) Newspaper and magazine articles.....	3,292	5,185	8,581	6,910	5,577	7,157	7,583	9,084	58,946
2. Dramatic compositions.....	343	517	501	734	815	971	1,048	1,224	6,213
3. Periodicals (number).....	13,726	6,777	14,147	17,792	11,573	21,498	26,529	23,457	140,292
4. Musical compositions.....	17,217	16,076	16,543	16,700	21,265	19,894	21,203	22,684	155,092
5. Maps and charts.....	1,246	1,478	1,353	1,718	1,566	1,881	1,517	1,817	12,579
6. Engravings, cuts, and prints.....	2,412	3,805	3,503	5,187	5,036	5,820	5,938	10,400	43,471
7. Chromos and lithographs.....	747	1,105	1,257	1,817	1,757	2,066	2,297	3,443	13,211
8. Photographs.....	5,777	7,608	12,115	13,661	13,884	13,790	11,288	13,504	94,537
9a. Miscellaneous unclassified articles.....	375	14							389
	58,979	86,217	110,045	136,857	88,579	87,246	90,495	101,719	627,824
Two copies of each article were received.....	111,652	172,434	220,090	273,714	177,158	174,492	180,990	203,438	1,255,618
9. Photographs with titles of works of art for identification, one copy each.....	853	1,706	1,924	2,564	2,918	2,947	3,862	3,986	20,195
Grand total.....	112,885	129,143	141,144	163,283	166,795	177,819	184,799	207,144	1,276,113

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