

REPORT

OF THE

LIBRARIAN OF CONGRESS

FOR THE

FISCAL YEAR ENDING JUNE 30, 1901.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1901.

REPORT.

PART I.

LIBRARY OF CONGRESS,
Washington, D. C., December 2, 1901.

SIR: I have the honor to submit my report as Librarian of Congress for the fiscal year ending June 30, 1901.

The Library was removed to the new building in the fall of 1897. But it did not enter the new building equipped for the activities which it was to pursue there. The physical equipment was incomplete, the organization was but partial; the collection itself, though large in mass, was inorganic. Indeed, the work to be done: the development to be sought, the service to be rendered, the apparatus to be provided, had not yet fully been defined.

The past four years, in particular the past two, have seen the collections, formerly indiscriminate, divided into certain main groups and in large part arranged and digested; most of these groups conveniently located; and the physical equipment and personal service appropriate to each determined, and in part provided. They have seen determined also, and initiated in each group, a system of classification which not merely recognizes present contents but provides elastically for future development; and catalogues which, also elastic, when brought to date will exhibit adequately the collections as they stand and be capable of expansion without revision. The larger appropriations of the past four years have enabled the imperfections in the collections

themselves in a measure to be remedied. Particular progress has been made in the completion of standard sets and bibliographies, which are the tools of the classifier and cataloguer, and guides in selection; and considerable progress in the acquisition of miscellaneous material important to serious research, but impossible of acquisition with the small funds formerly available.

The Library begins the new century, therefore, in a condition far advanced over that in which it began its career in the new building. During the past four years it has been active in direct service, but still more active in preparation for a larger and wider service. It is now in a position to consider and determine what the service shall be:—to Congress, to the Executive Departments and scientific bureaus of the Federal Government, to other libraries, and to scholarship at large. What the Library may do for these is not to be estimated by the nature, still less by the extent, of what it has done in the past. Its future opportunities appear in its constitutional relations, its present and developing equipment, its organization, the character of the material which it now has, and its resources for increase. I have thought fitting, therefore, to incorporate with this Report a summary of the present facts concerning each of these. It forms Part II of the Report. Part I is limited to a brief résumé of the operations of the past fiscal year. Included in the appendices is a list of selected titles illustrating the character of the printed material added during the past two years in certain departments of literature which have received special reinforcement.

FINANCE.

The following table exhibits the appropriations and expenditures of the Library proper and of the Copyright Office for the past fiscal year, and the appropriations for the year preceding, and the year now current. Details are

given in Appendix I. Included also are the appropriations for the equipment and care of the building and grounds, expended by the Superintendent:

Object of expenditure.	Appropriations, 1900.	Appropriations, 1901.	Expenditures, 1901.	Appropriations, 1902.	Appropriations and expenditures.
Library and copyright office:					
Salaries, general service	\$123,345.00	\$176,780.00	\$173,916.98	\$198,320.00	
Salaries, special service	2,000.00	¹ 3,948.00	2,535.23	¹ 1,412.77	
Salaries, <u>Copyright Office</u>	40,400.00	51,080.00	50,115.05	55,480.00	
Increase of Library	² 31,680.00	² 59,680.00	58,993.44	² 69,800.00	
Contingent expenses	4,000.00	8,500.00	7,799.99	7,300.00	
Printing and binding (allotment)	35,000.00	75,000.00	74,964.02	75,000.00	
Total, Library and Copyright Office	236,425.00	376,988.00	368,324.71	407,312.77	
Building and grounds:					
Care and maintenance	64,655.25	67,065.00	66,930.65	70,945.00	
Fuel, lights, and miscellaneous	25,000.00	25,000.00	24,966.41	25,000.00	
Furniture and shelving	15,000.00	45,000.00	44,833.30	60,000.00	
Grand total	341,080.25	514,053.00	505,055.07	563,257.77	

¹ Balance of amounts appropriated by acts of April 17, 1900, and March 3, 1901.

² Exclusive of \$1,500 to be expended by the marshal of the Supreme Court for new books of reference for that body.

The appropriation of \$2,000 for special service was, by the act of March 3, 1901 (the deficiency bill), made immediately available. Of this sum and the sum previously provided for special service there remained on June 30, 1901, an unexpended balance of \$1,412.77, which, under the provision of the act, "continues available until expended."

Of the amount appropriated for salaries \$5,827.97 was unexpended and covered into 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.

Copyright Office.—The report of the Register of Copyrights appears as Appendix II to this report.

The principal statistics of the business done are as follows:

COPYRIGHT:
Statistics.

Fees received and applied.	Fiscal year.			
	1897-98.	1898-99.	1899-1900.	1900-1901.
Domestic (50 cents) entries.....	\$33,916.00	\$36,507.50	\$43,219.00	\$41,906.50
Foreign (\$1) entries.....	7,731.00	7,953.00	8,360.00	8,538.00
For certificates.....	13,493.50	12,577.50	12,631.00	12,569.50
For assignments recorded.....	773.50	1,218.00	980.00	641.00
For searches.....	12.50	11.00	16.00	32.50
Total.....	55,926.50	58,267.00	65,206.00	63,687.50
Total number of entries of titles.....	75,545	80,968	94,798	92,351
Total number of deposits received (material of all classes, including duplicates).....	112,805	120,143	141,444	162,283
Total number of entries.....	75,545	80,968	94,798	92,351
Total communications received (including parcels, but not articles enumerated above).		67,666	66,573	78,457
Total communications sent out (including letters written).....		98,729	102,244	114,763

The fees from copyright 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 more than cover the expenses of the office, as appears from the following comparison:

COPYRIGHT:
Receipts and
Expenses.

RECEIPTS.

Fees covered in during the fiscal year 1901, as above \$63,687.50

EXPENSES.

Salaries, as stated.....	\$50,115.05
Printing and binding (estimated).....	6,000.00
Stationery and sundries.....	1,076.31
	57,191.36
Net cash earnings.....	6,496.14

The above statement includes all disbursements, 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 162,283 such articles were received, whose value must have far exceeded the amount of the net cash earnings.

SERVICE.

On July 1, 1900, the Library service consisted of 230 *Library.* employees, 185 in the Library proper and 45 in the Copyright Office. On July 1, 1901, it consisted of 256 employees, 207 in the Library proper, and 49 in the Copyright Office. Of the 207 in the Library proper, 67 are in the Catalogue Division; 36 of the 207 fill the more subordinate positions of messengers, attendants in cloakrooms, etc., and 112 of the remaining 171 fill positions at salaries ranging from \$480 to \$900, inclusive. The complete present organization is given in Part II of this report.

The force under control of the Superintendent of the *Building and Grounds.* Library Building and Grounds, for the business of the Disbursing Office and for the care and maintenance of the building and grounds, is not included in the above. It consists now of 116 persons.

Estimates.—My estimates for the present year (1901-2) called for 31 new positions—26 in the Catalogue Division, 1 in the Law Library, and 4 in the Copyright Office. Twenty-six of the positions asked for were granted. The 5 not granted were all in the Catalogue Division—2 at \$1,400, 1 at \$1,200, 2 at \$1,000.

The work of this division involving various interdependent *Catalogue Division.* processes, the omission of 5 of the additional assistants asked for has thrown it out of adjustment. Too much of the time of \$1,500 employees is now diverted to the revision of work of the \$600 and \$700 employees. It has become necessary, therefore, to ask that the omission of these 5 cataloguers for the whole year be partially remedied by the employment of twice the number for the balance of the year, and the request has been made that a provision to this end be inserted in the urgent deficiency bill.

At the session of 1899-1900 I submitted a statement of existing conditions in the Library, of the work to be done, and of the equipment, the organization, and the resources for increase which would be requisite. I stated what seemed to me the normal in both organization and appropriation for increase. But I advised that this normal should be reached not at once, but by gradual instalments during the three succeeding years.

My subsequent estimates have been in pursuance of that plan. I had stated that in classification and cataloguing the arrears of work alone would occupy 91 persons five years. I proposed, however, to attempt to cover with this force not merely the arrears, but the current work as well. I asked a total of 46 classifiers and cataloguers for the first year (1900-1901), and of 72 for the second (1901-2). Of these 72 there were 67 provided. The normal of 91 was to be reached on July 1, 1902. My estimates for 1902-3 call for precisely this number. The increase asked for is therefore not arbitrary nor unanticipated, but merely the third instalment of a force deliberately planned two years ago for a work then fully explained and for which the initial force was then granted.

For the ordinary routine and for the direct service to readers, although this is constantly enlarging, I have asked no additional assistants. The only increase in force asked for the coming year is the additional cataloguers, and certain assistants in the Copyright Office, whose salaries will be reimbursed by the receipts of the office. There are, however, certain inequalities in the present organization which interfere with the general efficiency of the service. They existed when I took office; I have urged that they be remedied; I urge it again in my estimates for next year.

COPYRIGHTS.

The report of the Register of Copyrights is, as customarily, appended in full (Appendix II). It shows in detail the copyright business of the past fiscal year. It concludes with a passage with reference to the needs of copyright legislation; in effect, for a general revision of the copyright law. I quote the passage:

“I have frequently had occasion to call attention to the need for new copyright legislation. The law now in force consists of the act of July 8, 1870, as edited to become title 60, chapter 3, of the Revised Statutes, and ten amendatory acts passed subsequently. Naturally there is lacking the consistency and homogeneity of a single well-considered copyright statute. The existing legislation is antiquated; inadequate in some directions, inconsistent and confusing in others. The Attorney-General of the United States, in a recent opinion concerning some provisions of the copyright law, after setting out the precise stipulations of the statutes relating thereto, says: ‘Under this kind of legislation it is impossible to arrive at any satisfactory conclusion as to what Congress really did intend by it.’ The expression of such an opinion by the head of the law department of the Government is sufficient evidence that revision of the law is urgently required.

“Our copyright laws are based upon antiquated models—the early English copyright statutes—and the amendments made from time to time to the original enactment have been aimed at improvement of the law in certain particulars rather than a thorough revision, and have not given to it a form corresponding to modern ideas of legislation relating to literary and artistic property.

“No attempt at a general revision of the law has been made since that by the commissioners appointed in 1868 to revise the general statutes, and their treatment of

Appendix I.

APPROPRIATIONS AND EXPENDITURES.

	Appropriation.	Expended.	Unexpended.
SALARIES.			
Library service	\$178,780.00	\$173,916.98	\$4,863.02
Copyright Office.....	51,080.00	50,115.05	964.95
Special service	¹ 3,948.00	2,535.23	1,412.77
Total	233,808.00	226,567.26	7,240.74
INCREASE OF LIBRARY.			
Purchase of books	50,000.00	49,842.00	158.00
Purchase of periodicals.....	5,000.00	4,737.22	262.78
Purchase of law books.....	3,000.00	2,734.22	265.78
Exchange of public documents.....	1,680.00	1,680.00
Total	² 59,680.00	58,993.44	686.56
Contingent expenses	8,500.00	7,799.99	700.01
Printing and binding.....	75,000.00	74,964.02	35.98
Grand total	376,988.00	368,324.71	8,663.29

¹ Balance of amount appropriated by acts of April 17, 1900, and March 3, 1901.

² 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	\$4,023.27
Automobile (electric) delivery wagon.....	2,000.00
Care of automobile (three months)	125.91
Care of horse and wagon (nine months)	271.48
Traveling expenses	518.96
Rubber stamps.....	345.33
Typewriter supplies	298.90
Postage stamps (foreign correspondence)	149.00
Tools	29.96
Telegrams	21.18
Post-office box rent	16.00
Total	7,799.99

Appendix II.

WASHINGTON, D. C., *September 7, 1901.*

REPORT OF THE REGISTER OF COPYRIGHTS FOR THE FISCAL YEAR 1900-1901.

The copyright business and the work of the Copyright Office for the fiscal year from July 1, 1900, to June 30, 1901, inclusive, is summarized as follows:

RECEIPTS.

The gross receipts during the year were \$69,525.25. A balance of \$1,486.29, representing trust funds and unfinished business, was on hand July 1, 1900, making a total of \$71,011.54 to be accounted for. Of this amount \$6,077.35 was refunded, having been sent to the Copyright Office as excess fees, or as fees for articles not registerable, leaving a net balance of \$64,934.19. The balance carried over July 1, 1901—representing trust funds, \$992.67, and unfinished business since July 1, 1897, \$257.52—was \$1,250.19, leaving for fees applied during the fiscal year 1900-1901, \$63,684, and for fees applied which were received in the Copyright Office prior to July 1, 1897, \$3.50, making a total of \$63,687.50. (See Exhibit A.)

Of this sum of \$63,687.50, representing applied fees, \$63,684 was paid into the Treasury by weekly checks, as per Exhibit B, and credit was allowed for \$3.50 applied as fees out of fees received prior to July 1, 1897.

EXPENDITURES.

The appropriations made by Congress for salaries for the Copyright Office for the fiscal year ending June 30, 1901, amounted to \$51,080, and the expenditures for supplies, stationery, all other articles not designated as "furniture,"

postage on foreign matter, etc., was \$1,076.31, making a total of \$52,156.31, leaving a credit balance when this amount is deducted from the amount of fees earned of \$11,531.19. The cost of maintaining the Library building, in which the Copyright Office is located, is covered by special appropriation by Congress, and the furniture required for the office is supplied out of the general appropriation for furniture for the Library of Congress. The necessary expenditure for record books, blanks, and other printing and binding is made out of the printing allotment of the Library of Congress, and the cost of printing the "Catalogue of Title Entries" is paid by the Treasury Department. The amount of these various expenditures is not accessible.

The copyright fees received and paid into the United States Treasury during the last four fiscal years, from July 1, 1897, to June 30, 1901, amount to \$243,087, and the appropriations for salaries during that period to \$160,800, leaving an excess of fees over appropriations of \$82,287.

The necessary expenditure for record books, blanks, and other printing and binding, stationery, and other supplies, etc., amounted to \$22,000, leaving a net balance to the credit of the Copyright Office during the four years of something over \$60,000.

In addition to this excess of fees over appropriations for service and expenditure for supplies, it should be remembered that two copies of each article (exclusive of original works of art) are required to be deposited for the use of the Library. This deposit for the fiscal year 1900-1901 amounted to 162,283 articles, including books, maps, engravings, musical compositions, photographs, etc., many of them of considerable money value and such as would otherwise have required to be purchased and paid for by direct appropriation by Congress.

COPYRIGHT ENTRIES.

The total number of entries of titles during the fiscal year was 92,351. Of this number 83,813 were titles of productions of persons citizens or residents of the United States, and 8,538 were titles of productions of persons not citizens or residents of the United States. The fees for these entries

were: United States, \$41,906.50; foreign, \$8,538, or a total of \$50,444.50.

Of the foreign entries, 1,995 were with certificates, as well as 21,810 of the United States entries, or a total of 23,805 certificates, at fees amounting to \$11,902.50. In addition, 1,334 copies of record were furnished at fees amounting to \$667; 550 assignments were recorded and certified at a charge of \$641, and search fees charged to the amount of \$32.50. The details of the Copyright Office business and applied fees are set out in Exhibit C.

With the beginning of the year 1901 and the new century the record books were divided into nine separate series to correspond with the nine classes of articles named in the copyright law. This was done primarily to allow opportunity for a distribution of the work of recording among a larger number of clerks at times of special congestion, but it also results in a considerable saving of time, as the designations can thus be printed in the record books instead of requiring to be written in, and doing this insures against errors of transcription. Moreover, it gives opportunity to secure an automatic classification and enumeration of the entries. The number of entries in each class from January 1 to June 30, 1901, is as follows:

Class A, books, pamphlets, leaflets, and periodical contributions, 12,515; Class B, periodicals, 11,656; Class C, musical compositions, 9,787; Class D, dramatic compositions, 718; Class E, maps or charts, 751; Class F, engravings, cuts, or prints, 3,192; Class G, chromos or lithographs, 808; Class H, photographs, 5,690, and Class I, original works of art—paintings, drawings, and sculpture, 1,409. Total, 46,526.

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 162,283. This is a gain of 20,839 over the previous fiscal year.

There has been a steady growth in the number of these deposits during the last four fiscal years, the total deposits being in each year respectively, 112,805; 120,143; 141,444,

and 162,283. These deposits for the four years are classified in Exhibit F. Periodicals (newspapers, magazines, and other serial publications) lead in the number of deposits, music coming second and photographs third, deposits to complete entries for magazine contributions fourth, books (literature) fifth, leaflets, circulars, etc., sixth, engravings seventh, chromos eighth, maps ninth, and dramas tenth. Comparing the deposits with the entries it is found that only in the case of periodicals is the deposit complete, although in music it is substantially so, the deposits amounting to about 99 per cent of the entries, while in the case of the various entries necessarily classified under the term "book," only about 70 per cent are completed by deposit as required by law—a large proportion of the entries probably being for projected works produced later or never completed at all—and in the case of the remaining articles about 80 per cent of the entries are perfected by deposits.

COPYRIGHT CATALOGUE AND INDEX.

The titles filed for record are carefully indexed, each entry having a card under the name of the proprietor; and books, periodicals, dramatic compositions, and maps have, in addition, title or author cards. These index cards, numbering 115,025 for the fiscal year, become part of the permanent indexes of the Copyright Office, and are also used as the copy for the Catalogue of Title Entries required to be printed weekly by act of Congress of March 3, 1891 (Fifty-first Congress, second session, chapter 565). The articles referred to in the preceding paragraph were catalogued during the fiscal year, and the catalogue printed in four volumes, as follows:

	Pages.
Volume 24, third quarter 1900, 13 numbers	1, 172
Volume 25, fourth quarter 1900, 13 numbers	1, 499
Volume 26, first quarter 1901, 13 numbers	1, 430
Volume 27, second quarter 1901, 13 numbers	1, 537
Total	5, 638

5,638 pages of octavo print in all.

The following volumes have been previously issued: v. 1-12, July 1, 1891-June 30, 1897, 4°; v. 13, July-December

ber, 1897, 1,450 pp., 4°; v. 14, January–March, 1898, 963 pp., 8°; v. 15, April–June, 1898, 1,075 pp., 8°; v. 16, July–September, 1898, 1,001 pp., 8°; v. 17, October–December, 1898, 902 pp., 8°; v. 18, January–March, 1899, 746 pp., 8°; v. 19, April–June, 1899, 1,044 pp., 8°; v. 20, July–September, 1899, 901 pp., 8°; v. 21, October–December, 1899, 938 pp., 8°; v. 22, January–March, 1900, 1,009 pp., 8°; v. 23, April–June, 1900, 1,127 pp., 8°.

An improvement has been made in the Catalogue of Title Entries, beginning with volume 26, the first volume of this year, by furnishing a complete volume index. This it is hoped to keep up, so that hereafter a search for any particular entry will require reference to only four printed indexes for each year. This catalogue is much relied upon in the office in searches made to answer the questions received daily as to copyright entries.

The copyright entries from July 10, 1870, to August 31, 1901, number 1,238,304. The index to these entries consists of upward of 700,000 cards, and more than 100,000 cards are added annually. These cards index the entries primarily under the names of the proprietors of the copyrights, and it is believed that this index of proprietors is substantially complete from July, 1870, so that under the name of each copyright proprietor there is a card or cards showing the titles of all articles upon which copyright is claimed. In addition to cards under the proprietors' names, cards are now made: For books, under the names of their authors; for anonymous books, periodicals, and dramatic compositions, under the first words of the titles (not a, and, or the), and for maps, under the leading subject words of the titles, i. e., the names of the localities mapped.

No attempt is made to index the titles as such; that is to say, in order to show that any given title has been used. So long as the copyright law does not secure the use of a registered title to some one person to the exclusion of all others, there would seem to be no justification in adding to the already large index upward of 100,000 cards annually simply to show that certain forms of words have been used by one or more persons as designations for books, maps, music, photographs, etc., registered for copyright protection.

SUMMARY.

Balance on hand July 1, 1900.....	\$1,486.29	
Gross receipts, July 1, 1900, to June 30, 1901.....	69,525.25	
Total to be accounted for.....	\$71,011.54	
Refunded.....	6,077.35	
Balance to be accounted for.....	64,934.19	
Applied as fees earned.....		\$63,684.00
Balance carried over to July 1, 1901:		
Trust funds.....	\$992.67	
Unfinished business, July 1, 1897, to June 30, 1901, inclusive.....	257.52	
		<u>1,250.19</u>
		<u>64,934.19</u>
Total fees earned and paid into Treasury during the four fiscal years from July 1, 1897, to June 30, 1901.....	243,087.00	
Total unfinished business for the same four years.....	257.52	

ENTRIES.

Number of entries of United States productions recorded	83,813
Number of entries of foreign productions recorded.....	<u>8,538</u>
Total number of titles recorded.....	92,351
Number of certificates of United States entries.....	21,810
Number of certificates of foreign entries.....	<u>1,995</u>
Total number of certificates.....	23,805
Number of certified copies of record.....	1,334
Number of assignments recorded.....	550

FEES.

Fees for entry of titles, United States productions, at 50 cents each (less \$3.50 fees received prior to July 1, 1897).....	\$41,903.00
Fees for entry of titles of foreign productions, at \$1 each.....	<u>8,538.00</u>
Total fees for titles recorded.....	\$50,441.00
Fees for certificates, United States entries, at 50 cents each.....	10,905.00
Fees for certificates, foreign entries, at 50 cents each.....	<u>997.50</u>
Total fees for certificates.....	11,902.50
Fees for certified copies of record, at 50 cents each.....	667.00
Fees for recording assignments.....	641.00
Eleven searches made, and charged for at the rate of 50 cents for each hour of time consumed.....	<u>32.50</u>
Total fees.....	63,684.00

COPYRIGHT OFFICE WORK.

(a) Current work.

The exact status of the current work of the Copyright Office at this date (September 7, 1901) is as follows:

1. All remittances have been recorded and acknowledged to September 6, inclusive.

2. The account books of the bookkeeping division are written up and posted to August 31, and the accounts rendered to the Treasury Department are settled up to and including the month of August, and earned fees to August 31, inclusive, paid into the Treasury.

3. Copyright applications received up to and including September 4 have been passed upon and refunds made up to August 31. The total unfinished and pending business from July 1, 1897, to August 31, 1901, inclusive, four years, amounts to \$169.65.

4. The titles filed for record (all classes) are dated, classified, and numbered to September 3, inclusive.

5. The titles filed are indexed as follows: Class A, books, to No. 16026, of August 31; Class B, periodicals, to No. 14040, of September 3; Class C, musical compositions, to No. 11506, of August 10; Class D, dramatic compositions, to No. 810, of August 28; Class E, maps and charts, to No. 990, of August 28; Class F, engravings, cuts, and prints, to No. 3987, of August 28; Class G, chromos and lithographs, to No. 1136, of August 28; Class H, photographs, to No. 8287, of August 28; Class I, original works of art, to No. 1820, of August 28.

6. The articles deposited are stamped, catalogued, and credited as follows: Class A, books proper, to No. 16026, of August 31; circulars and leaflets, to No. 15049, of August 15; periodical contributions, to No. 15049, of August 15; Class B, periodicals, to No. 14040, of September 3; Class C, musical compositions, to No. 11247, of August 5; Class D, dramatic compositions, to No. 764, of August 15; Class E, maps and charts, to No. 968, of August 21; Class F, engravings, cuts, and prints, to No. 3871, of August 21; Class G, chromos and lithographs, to No. 1059, of August 21; Class H, photographs, to No. 8012, of August 21; Class I, original works of art, photographs of drawings, paintings, and sculpture, to No. 1774, of August 21.

The Catalogue of Title Entries has been brought forward to No. 10, of volume 28, to September 5, 1901.

7. The certificate entries have been recorded, all classes, to August 29, inclusive, and certificates made, revised, and mailed.

The non-certificate entries have been recorded as follows: Class A, to No. 15849, of August 28; Class B, to No. 13991, of August 31; Class C, to No. 12173, of August 24; Class D, to No. 815, of August 31; Class E, to No. 1004, of August 31; Class F, to No. 4020, of August 31; Class G, to No. 1113, of August 31; Class H, to No. 7935, of August 21; Class I, to No. 1794, of August 31.

The total entries remaining to be made to date, 1,039, number 95 more than the entries made for one class (periodicals) in a single day, viz, December 31, 1900, when 944 periodical entries were made.

(b) Copyright business prior to July 1, 1897.

Congress, in the appropriation act for the fiscal year, provided a special force of three clerks, a porter, and a messenger boy for bringing up the arrears in the Copyright Office work prior to July 1, 1897. The first task was to arrange the mass of articles deposited since July 10, 1870, which bore indications of having been properly treated—stamped, dated, numbered, and credited—so that each article could be produced upon demand without unreasonable loss of time. Of the whole mass of deposits 77,325 books, 36,666 pamphlets, and 5,856 photographs have been arranged by year and number (119,757 articles in all), and 6,420 blank books and 1,079 atlases, 6,888 etchings and engravings, 9,858 cuts and prints, 568 roll maps, 100 insurance maps, and 294 posters (25,207 articles) have been arranged by year of deposit. In addition, 5,965 books, 100 newspapers, 413 photographs and prints, and 3,783 leaflets, fly-leaves, etc., received prior to July, 1870, have been properly arranged, making a total of 155,225 articles in all.

The second desideratum was tentatively to arrange the uncredited deposits received prior to July 1, 1897, and these have been roughly classified and assorted, and are as follows: Books, 1,773; pamphlets, leaflets, etc., 46,855; newspapers and periodicals, 12,700; photographs, 6,974; engravings, 1,490; insurance maps, 6,700; roll maps, 275; posters, 1,120;

miscellaneous articles, 1,952; a total of 79,839 articles or pieces.

There have also been arranged 18,623 titles filed prior to July 10, 1870, these being additional to the 60,719 reported in my last annual report. This makes a grand total of 233,689 pieces thus far handled of the entire deposits made prior to July 1, 1897.

There still remain the credited deposits for the years 1886 to 1890 to be arranged, the more detailed treatment of the 25,000 articles now only arranged by years, and the necessarily very slow and laborious task of examining the 80,000 uncredited deposits with a view to properly crediting them.

COPYRIGHT LEGISLATION.

I have frequently had occasion to call attention to the need for new copyright legislation. The law now in force consists of the act of July 8, 1870, as edited to become title 60, chapter 3 of the Revised Statutes, and ten amendatory acts passed subsequently. Naturally, there is lacking the consistency and homogeneity of a single well-considered copyright statute. The existing legislation is antiquated; inadequate in some directions, inconsistent and confusing in others. The Attorney-General of the United States, in a recent opinion concerning some provisions of the copyright law, after setting out the precise stipulations of the statutes relating thereto, says: "Under this kind of legislation it is impossible to arrive at any satisfactory conclusion as to what Congress really did intend by it." The expression of such an opinion by the head of the law department of the Government is sufficient evidence that revision of the law is urgently required.

Our copyright laws are based upon antiquated models—the early English copyright statutes—and the amendments made from time to time to the original enactment have been aimed at improvement of the law in certain particulars rather than a thorough revision, and have not given to it a form corresponding to modern ideas of legislation relating to literary and artistic property.

No attempt at a general revision of the law has been made since that by the commissioners appointed in 1868 to revise the general statutes, and their treatment of copyright was necessarily a partial one, that being only one of a great many

subjects requiring consideration. Many and greatly diverse interests are affected by copyright legislation, and it would seem more probable that each and all of these would receive proportional attention if the task of preparing a codification of the copyright laws were intrusted by Congress to a commission adequately representing the different interests concerned, and that a project of law thus formulated would more likely be on a par with the existing progressive copyright legislation of other countries.

Respectfully submitted

THORVALD SOLBERG,
Register of Copyrights.

HERBERT PUTNAM,
Librarian of Congress, Washington, D. C.

EXHIBIT A.—*Statement of gross receipts, refunds, net receipts, and fees applied for fiscal year ending June 30, 1901.*

Month.	Gross cash receipts.	Refunds.	Net receipts.	Fees applied.
1900.				
July	\$5,571.51	\$496.28	\$5,075.23	\$5,115.00
August	5,864.68	493.31	5,371.37	5,404.50
September	4,986.62	416.94	4,569.68	4,738.00
October	6,027.36	464.62	5,562.74	5,494.50
November	5,068.11	566.48	4,501.63	4,500.50
December	7,332.53	964.60	6,367.93	6,339.00
1901.				
January	7,155.68	655.39	6,500.29	6,410.50
February	4,803.50	429.56	4,373.94	4,546.50
March	6,049.07	429.51	5,619.56	5,416.50
April	5,789.03	409.07	5,379.96	5,653.50
May	5,580.11	404.62	5,175.49	5,045.50
June	5,297.05	346.97	4,950.08	5,023.50
Total	69,525.25	6,077.35	63,447.90	63,687.50

Balance brought forward from June 30, 1900	\$1,486.29
Gross receipts, July 1, 1900, to June 30, 1901	69,525.25
	71,011.54
Less refunds, July 1, 1900, to June 30, 1901	6,077.35
To be accounted for	64,934.19
Balance carried forward, July 1, 1901:	
Trust fund	\$992.67
Unfinished business	257.52
	1,250.19
Fees applied, July 1, 1900, to June 30, 1901	63,684.00
Fees received and paid into the Treasury prior to July 1, 1897, and applied fiscal year 1900-1901	3.50
Total amount of fees applied	63,687.50

EXHIBIT B.—Statement of fees paid into Treasury.

Date.	Check No.	Amount.	Date.	Check No.	Amount.
1900.			1901.		
July 9	191	\$1,000.00	January 28	226	\$1,200.00
16	192	1,500.00	February 4	227	850.00
23	193	700.00	9	228	310.50
30	194	1,000.00	11	229	1,000.00
August 6	195	800.00	18	230	1,000.00
9	196	115.00	25	231	1,500.00
13	197	1,000.00	March 5	232	1,000.00
20	198	1,200.00	8	233	46.50
27	199	1,500.00	11	234	1,500.00
September 4	200	1,000.00	18	235	1,000.00
7	201	704.50	25	236	1,400.00
10	202	1,000.00	April 1	237	1,200.00
17	203	1,000.00	4	238	316.50
24	204	1,000.00	8	239	1,000.00
October 1	205	1,200.00	15	240	1,200.00
8	206	538.00	22	241	1,500.00
9	207	1,000.00	29	242	1,200.00
15	208	1,200.00	May 6	243	600.00
22	209	1,000.00	8	244	750.00
29	210	1,000.00	13	245	1,000.00
November 5	211	500.00	20	246	1,500.00
9	212	1,294.50	27	247	900.00
12	213	1,000.00	June 3	248	900.00
19	214	1,500.00	5	249	145.50
26	215	700.00	10	250	1,200.00
December 3	216	650.00	17	251	1,000.00
7	217	150.50	24	252	1,500.00
10	218	1,000.00	July 1	253	900.00
17	219	1,000.00	9	255	423.50
24	220	1,000.00			63,684.00
31	221	1,800.00			
1901.			Fees received and paid into the Treasury prior to July 1, 1897, and applied for entries, 1900-1901.....		
January 7	222	1,200.00			3.50
10	223	339.00			
14	224	2,250.00			
21	225	1,800.00			
			Total		63,687.50

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.
1900.								
July	725	\$725.00	6,789	\$3,394.50	7,514	\$4,119.50	125	\$62.50
August	783	783.00	7,039	3,519.50	7,822	4,302.50	192	96.00
September ..	681	681.00	6,004	3,002.00	6,685	3,683.00	169	84.50
October	786	786.00	7,115	3,557.50	7,901	4,343.50	222	111.00
November ..	790	790.00	5,420	2,710.00	6,210	3,500.00	213	106.50
December...	739	739.00	8,954	4,477.00	9,693	5,216.00	153	76.50
1901.								
January	626	626.00	9,245	4,622.50	9,871	5,248.50	130	65.00
February....	674	674.00	5,747	2,873.50	6,421	3,547.50	120	60.00
March.....	608	608.00	7,147	3,573.50	7,755	4,181.50	170	85.00
April.....	743	743.00	7,319	3,659.50	8,062	4,402.50	193	96.50
May.....	815	815.00	6,159	3,079.50	6,974	3,894.50	183	91.50
June.....	568	568.00	6,875	3,437.50	7,443	4,005.50	125	62.50
Total..	8,538	8,538.00	83,813	41,906.50	92,351	50,444.50	1,995	997.50

Month.	Number of certificates, United States.	Fees at 50 cents each.	Total certificates.	Fees at 50 cents each.	Copies of records.	Fees at 50 cents each.	Assignments.	Charge for assignments.	Search fees.	Total applied fees.
1900.										
July	1,679	\$339.50	1,804	\$902.00	84	\$42.00	39	\$48.00	\$3.50	\$5,115.00
August	1,820	910.00	2,012	1,006.00	89	44.50	33	46.00	5.50	5,404.50
September ..	1,773	886.50	1,942	971.00	84	42.00	39	42.00	4,738.00
October	1,823	911.50	2,045	1,022.50	143	71.50	33	52.00	5.00	5,494.50
November ..	1,522	761.00	1,735	867.50	116	58.00	58	72.00	3.00	4,500.50
December...	1,891	945.50	2,044	1,022.00	114	57.00	44	44.00	6,339.00
1901.										
January	1,981	990.50	2,111	1,055.50	114	57.00	48	49.00	.50	6,418.50
February....	1,615	807.50	1,735	867.50	162	81.00	32	49.00	1.50	4,546.50
March.....	2,034	1,017.00	2,204	1,102.00	113	56.50	74	76.00	.50	5,416.50
April.....	2,062	1,031.00	2,255	1,127.50	103	51.50	60	60.00	12.00	5,653.50
May.....	1,882	941.00	2,065	1,032.50	119	59.50	50	59.00	5,045.50
June.....	1,728	864.00	1,853	926.50	93	46.50	40	44.00	1.00	5,023.50
Total..	21,810	10,905.00	23,805	11,902.50	1,334	667.00	550	641.00	32.50	63,687.50

EXHIBIT D.—Copyright business (monthly comparison). Annual report for the fiscal year July 1, 1900, to June 30, 1901.

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

1900-1901.	Gross receipts.				Business executed.			
	Month-ly re-ceipts.	Month-ly in-crease.	Month-ly de-crease.	Daily aver-age.	1900-1901.	In-crease.	De-crease.	Daily aver-age.
July	\$5,571.51			\$222.86	\$5,115.00			\$204.60
August	5,864.68	\$293.17		217.21	5,404.50	\$289.50		200.16
September	4,986.62		\$878.06	207.76	4,738.00		\$666.50	197.41
October	6,027.36	1,040.74		223.23	5,494.50	756.50		203.50
November	5,068.11		959.25	202.72	4,500.50		994.00	180.02
December	7,332.53	2,264.42		305.52	6,339.00	1,838.50		264.00
January	7,155.68		176.85	275.22	6,410.50	71.50		246.55
February	4,803.50		2,352.18	208.84	4,546.50		1,864.00	197.67
March	6,049.07	1,245.57		241.96	5,416.50	870.00		216.66
April	5,789.03		260.04	222.65	5,653.50	237.00		217.44
May	5,580.11		208.92	214.61	5,045.50		608.00	194.05
June	5,297.05		283.06	211.88	5,023.50		22.00	200.94
Total	69,525.25				63,687.50			

1900-1901.	Number of entries.					
	Foreign.	United States.	Total.	Increase.	De-crease.	Average.
July	725	6,789	7,514			300
August	783	7,039	7,822	308		289
September	681	6,004	6,685		1,137	278
October	786	7,115	7,901	1,216		292
November	790	5,420	6,210		1,691	248
December	739	8,954	9,693	3,483		404
January	626	9,245	9,871	178		379
February	674	5,747	6,421		3,450	279
March	608	7,147	7,755	1,334		310
April	743	7,319	8,062	307		310
May	815	6,159	6,974		1,088	268
June	568	6,875	7,443	569		297
Total	8,538	83,813	92,351			

EXHIBIT E.—Statement of gross cash receipts, executed business, number of entries, etc., for four fiscal years, 1897-98, 1898-99, 1899-1900, 1900-1901.

Month.	Gross receipts.				Business executed.	
	1897-98.	1898-99.	1899-1900.	1900-1901.	1897-98.	1898-99.
July	\$4,257.70	\$5,102.74	\$5,156.87	\$5,571.51	\$3,769.00	\$4,724.50
August	4,525.27	4,675.96	4,846.97	5,864.68	4,296.00	4,266.50
September	5,218.87	4,714.82	6,078.95	4,986.62	4,559.50	4,537.50
October	5,556.21	5,149.07	5,583.59	6,027.36	4,899.00	4,744.00
November	4,292.88	4,788.30	5,479.15	5,068.11	4,062.00	4,269.50
December	6,512.60	6,435.56	6,728.06	7,332.53	5,262.00	5,088.50
January	6,074.03	6,050.86	7,649.80	7,155.68	6,224.50	6,192.50
February	4,606.92	5,141.40	5,523.47	4,803.50	4,204.00	4,505.50
March	5,138.78	6,300.02	6,515.43	6,049.07	4,865.00	5,312.50
April	5,053.21	5,198.69	6,086.82	5,789.03	4,835.50	4,899.00
May	5,386.93	5,593.50	5,660.36	5,580.11	4,610.50	5,076.00
June	4,476.16	5,034.73	5,762.86	5,297.05	4,339.50	4,651.00
Total	61,099.56	64,185.65	71,072.33	69,525.25	55,926.50	58,267.00

Month.	Business executed.		Number of entries.			
	1899-1900.	1900-1901.	1897-98.	1898-99.	1899-1900.	1900-1901.
July	\$4,789.50	\$5,115.00	5,015	5,653	6,835	7,514
August	4,709.50	5,404.50	5,618	6,005	6,525	7,822
September	5,357.50	4,738.00	6,106	6,188	7,571	6,685
October	5,317.00	5,494.50	6,368	6,316	7,627	7,901
November	4,810.50	4,500.50	5,288	5,682	6,814	6,210
December	5,183.00	6,339.00	7,408	7,288	7,284	9,693
January	8,000.50	6,410.50	9,220	9,556	12,808	9,871
February	5,032.50	4,546.50	5,514	6,552	7,521	6,421
March	5,871.50	5,416.50	6,350	7,417	8,311	7,755
April	5,535.50	5,653.50	6,494	6,834	8,089	8,062
May	5,229.50	5,045.50	6,222	6,888	7,508	6,974
June	5,369.50	5,023.50	5,942	6,589	7,905	7,443
Total	65,206.00	63,687.50	75,545	80,968	94,798	92,351

Year.	Gross receipts.	Increase.	Decrease.	Yearly fees.	Increase.	Decrease.	Number of entries.	Increase.	Decrease.
1897-98...	\$61,099.56			\$55,926.50			75,545		
1898-99...	64,185.65	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

EXHIBIT F.—Table of articles deposited during four fiscal years, 1897-98, 1898-99, 1899-1900, 1900-1901.

	1897-98.	1898-99.	1899-1900.	1900-1901.
1. Books:				
(a) Books proper (volumes).....	5,575	5,834	6,550	7,746
(b) Miscellaneous articles entered under the term "book" as used in the copyright law—e. g., circulars, leaflets, etc.....	4,698	4,196	5,073	5,770
(c) Newspapers and magazine articles	3,262	5,185	8,851	9,010
2. Dramatic compositions.....	391	507	561	634
3. Periodicals (number).....	13,726	9,777	14,147	17,702
4. Musical compositions.....	17,217	19,976	16,505	16,709
5. Maps and charts.....	1,296	1,478	1,353	1,718
6. Engravings, cuts, and prints.....	2,912	3,505	3,503	5,687
7. Chromos and lithographs.....	747	1,050	1,257	1,817
8. Photographs.....	5,777	7,695	12,115	13,064
9a Miscellaneous (unclassified articles)...	375	14		
* * * *	55,976	59,217	69,915	79,857
Two copies of each article were received.....	111,952	118,434	139,830	159,714
9. Photographs with titles of works of art for identification, one copy each.....	853	1,709	1,614	2,569
Grand total.....	112,805	120,143	141,444	162,283

\$20,000 to purchase from the Marquis De Rochambeau the military papers, maps, and letter books of the Count De Rochambeau, general in the French army in America during the Revolution.

The largest accession was, however, the historical library collected by Mr. Peter Force, of this city, purchased by act of Congress, approved March 2, 1867, for \$100,000. The collection contained about 60,000 articles, consisting of books and pamphlets relating to America, early American newspapers, maps, incunabula, manuscripts, and autographs, and the manuscript material gathered for the American Archives or documentary history of America.

Force collection.
1867, Mar. 2.

In 1876 (March 13) a joint resolution of Congress "recommended to the people of the several States that they assemble in their several counties or towns on the approaching centennial anniversary of our national independence, and that they cause to have delivered on such day an historical sketch of said county or town from its formation" and that a copy be filed in the Library of Congress.

Fourth of July orations.
1876, Mar. 13.

In response to this request about 400 Fourth of July orations containing historical sketches were added.

The beginning of the large collection of modern newspapers in the Library was made in July, 1874, when over 100 daily newspapers were subscribed for, including two of the principal newspapers of each State in the Union representing different political parties.

Newspapers.
1874, July.

The first increase to the Library by deposits under copyright law came by an act, approved August 10, 1846, directing that one copy of each copyrighted book, map, chart, musical composition, print, cut, or engraving, should be delivered to the Librarian of Congress. Later, by an act approved March 3, 1865, this deposit of one copy of the articles enumerated above, with the addition of photographs, was again enacted and continued in force till the passage of the copyright law of July 8, 1870, placing the copyright business under the charge of the Librarian of Congress, and calling for a deposit in the Library of two copies of each article. This act provided for the removal of copyright deposits from the Patent Office, and from the United States district courts, and 23,070 volumes were received from these sources. The international copyright act of March 3,

Copyright deposits.
1846, Aug. 10.

1865, Mar. 3.

1870, July 8.

1891, Mar. 3.

1891, still further increased the number of deposits, which grew from 19,826, in 1871, to 162,949, in 1900.

Additional accommodations.
1865, March 2.

To provide for the rapidly growing Library, Congress, March 2, 1865, appropriated \$160,000 for an enlargement of the Library, so as to include in two fireproof wings the space at either end of the central library hall. During the next two years various supplemental appropriations were made for this purpose, making the total expenditure \$203,163.38. It was estimated that with the additional space gained, there would be accommodation for the safe keeping of over 200,000 volumes. At the end of 1866 the number of volumes in the Library was 99,650, not including the 40,000 volumes of books belonging to the Smithsonian Institution then in course of removal to the Library.

1866.

Smithsonian Library.
1866, Apr. 5.

April 5, 1866, an act was approved for the transfer of the library of the Smithsonian Institution to the Library of Congress, to be removed on the completion of the new fireproof extension of the Library. (See Smithsonian Division, pp. 270-273.) The collection was estimated at that time to contain about 40,000 volumes. This valuable accession to the library comprised a large collection of journals and transactions of learned societies, foreign and domestic, many important works on the fine arts, linguistics, bibliography, statistics, and natural history. Though not stipulated in the act, later accessions were deposited, until the overcrowded condition of the Library rendered it impossible to care properly for the increase. Now that ample space has been provided in the new building, the whole collection will be arranged in the large hall specially fitted up for it, and with suitable accommodation for the student.

Gifts.
TONER COLLECTION.
1882, May 19.

The library of Joseph Meredith Toner, M. D., of this city, was presented to the Government and accepted by act of Congress May 19, 1882. It consists of over 27,000 volumes of books and 12,000 pamphlets and periodicals. It embraces valuable material on the local history of States, counties, and towns, Washingtoniana, biography, and medical science. It contains also an extensive collection of portraits of American physicians, many of early date; a large case of mounted cuttings from books and newspapers, illustrative of American biography, arranged in alphabetical order, and of great value in furnishing information concerning the lives of per-

THE COPYRIGHT OFFICE.

The Copyright Office is a division of the Library of Congress and is situated on the ground floor of the Library building, south side, occupying the rooms marked O 2, P 2, Q 2, R 2, on the plan of the building. Its files occupy part of the South Stack as well as room Q 2 of the cellar. 49 persons. Thorvald Solberg, Register of Copyrights.

HISTORY.

History of the Copyright Office.—The first Federal copyright law was enacted May 31, 1790, under Article I, section 8, of the Constitution, which grants to Congress the power to legislate to protect literary property in order “to promote the progress of science and useful arts, by securing for limited times to authors . . . the exclusive right to their respective writings . . .”



PORTION OF COPYRIGHT OFFICE. BASEMENT, ROOM Q2 OF PLAN.

This law required the registration of the titles of copy-
 right productions in the office of the clerk of the district
 court of the State in which the author lived, which pro-
 vision as to the recording of the title remained unchanged
 until the enactment of the statute approved July 8, 1870,
 transferring the registration of title as a preliminary to
 copyright protection, together with the control and preser-
 vation of all records and other things relating to copyrights,
 to the Librarian of Congress. By a special provision in the
 appropriation act of February 19, 1897, going into effect
 July 1 of the same year, the Copyright Office was put under
 the immediate charge of the Register of Copyrights, who is
 authorized by that act "under the direction and supervision
 of the Librarian of Congress," to "perform all the duties
 relating to copyrights." The function and practice of the
 office will be explained in a subsequent paragraph.

COPYRIGHT
OFFICE.

Equipment of the Copyright Office.—The Copyright Office
 was removed from the Capitol to the new Library building in
 September, 1897, and now occupies a suite of three rooms
 on the first floor, south front. The southwest pavilion (room
 42) is used as the office of the Register of Copyrights and
 has desk room for four persons, in addition to three type-
 writer desks. Within a partitioned inclosure is shelved a
 portion of the copyright record books prior to 1870. The
 south curtain, a room 217 feet long by 22 feet wide, is the
 main working room of the Copyright Office. A small por-
 tion of it at the west end is railed off to serve as an office for
 receiving the clients who come there to look after their copy-
 right business in person. An additional portion is screened
 off by means of glass-paneled partitions to serve as the
 counting-house of the Copyright Office, and the remainder
 of the floor space is occupied by the desks of the clerks and
 such counters as are required for assorting the papers and
 articles received, while the wall spaces are utilized for cases
 and shelves for record books, drawers for the card index,
 files for the letters, etc., and shelves for the current deposits
 of books, maps, music, engravings, photographs, newspa-
 pers, etc. The southeast pavilion (room 33) is used partly
 for the arranged accumulation of deposits of photographs,
 engravings, music, and maps, and as the mail room, where
 the letters are received, opened, and recorded, and all other

EQUIPMENT.

deposited articles are received, dated, and otherwise stamped, as required.

COPYRIGHT.
Storage rooms.

In addition to the three rooms referred to above, the ground floor of the South Stack is used for the files of titles received since 1870, the great alphabet of newspapers and periodicals, and the annual deposit of books and dramas; and, in addition, such stock of envelopes, circulars, and bulletins as are printed in large quantities. The cellar space under the south curtain and under the southwest pavilion has been shelved to hold the accumulated copyright deposits since 1870.

COPYRIGHT
FORCE.

Copyright Office force.—The Copyright Office force consists of 49 persons—the Register of Copyrights and 48 clerks. This force of 48 clerks is organized as follows: (1) The Application Division, which deals with the applications received for copyright registration, 5 persons; (2) the Book-keeping Division, responsible for the accounts and charged with making out the sheets of the reports required by law to be made monthly to the Secretary of the Treasury and the Librarian of Congress, 5 persons; (3) the Correspondence Division, whose duty it is to keep track of all correspondence, to open the mail, receive, mark, index, and file all letters and other mail matter received (about 80,000 yearly), reply to, copy, and index letters, etc., 10 persons; (4) the Deposit Division, which stamps, marks, credits, and files the articles deposited, 5 persons; (5) the Index and Catalogue Division, responsible for the indexing of all applications received (numbering more than 90,000 annually), the cataloguing of the articles deposited (numbering more than 160,000 annually), and the preparation for the printer of the copy for the "Catalogue of title entries" required by law to be printed weekly, 10 persons; (6) the Record Division, which records all titles filed and makes out and revises all certificates, 7 persons; (7) a special force provided by Congress to clear up arrears prior to July 1, 1897, of 5 persons (including a porter and messenger), is arranging the great mass of articles deposited prior to July 1, 1897, and crediting such as have not previously been cleared; (8) messenger, 1 person.

COPYRIGHT
ARCHIVES.

Copyright Office archives.—The Copyright Office archives consist of: (1) A series of record books (not entirely complete), kept up to July, 1870, by the clerks of the district

courts of the several States, numbering 304 volumes of various sizes; (2) an annual series of record books from July, 1870, to December 31, 1899, numbering 723 volumes, each full volume up to 1898 containing 2,000 entries, and each full volume for 1899 1,000 entries; (3) a series for 1900 divided into four classes—"A," books and dramatic compositions, 64 volumes of 500 entries; "B," periodicals, 22 volumes of 1,000 entries; "C," music, 21 volumes of 1,000 entries, and "D," miscellaneous, 25 volumes of 1,000 entries; (4) a new twentieth-century series of record books divided into nine classes to correspond with the nine classes of articles named in the law as subject-matter of copyright, each volume containing 1,000 entries, except in class "A," where each full volume contains 500 entries. Up to September 30, 1901, the volumes wholly or partially used in each class are as follows: Class A, books, 37 volumes; class B, periodicals, 16 volumes; class C, musical compositions, 15 volumes; class D, dramatic compositions, 1 volume; class E, maps and charts, 2 volumes; class F, engravings, cuts, and prints, 5 volumes; class G, chromos and lithographs, 2 volumes; class H, photographs, 10 volumes; class I, original works of art—paintings, drawings, sculpture, and models or designs intended to be completed as works of the fine arts—3 volumes; (5) a series of folio record books containing copies of all assignments of copyright recorded, 26 volumes.

In addition to the volumes of records all titles deposited from July 10, 1870, to date, numbering more than 1,200,000, are arranged chronologically and numbered. At the present time the titles received are arranged in a series of nine classes, to correspond with the articles named in the copyright law as subject to copyright protection, viz: (1) Books; (2) periodicals; (3) music; (4) dramas; (5) maps or charts; (6) engravings, cuts or prints; (7) chromos or lithographs; (8) photographs; (9) original works of art—paintings, drawings, and sculpture. Each day's titles are filed separately and each class has its own series of numbers, while each title is indexed so that it can be produced from the file on demand.

Of the articles deposited (two copies each, as provided by the copyright statutes), one copy is retained in the Copyright Office and is filed chronologically and arranged by its own number, which corresponds with the number given the title indexed, so that it can be produced upon request.

From July 1, 1897, to September 30, 1901, 309,893 articles were thus arranged, and of the previous deposits, from 1870 to 1897, 210,341 articles have been arranged, making a total of 520,234 deposited articles, properly arranged and indexed so as to be producible when required.

**COPYRIGHT
BUSINESS.**

Growth of copyright business.—The conduct of the Copyright Office was transferred to the Librarian of Congress by the act of Congress of July 8, 1870, and the first entries under his care were made on July 10, 1870. The following year, 1871, was therefore the first full year of copyright entries, which number 12,688. The increase in the number of entries from that time forward, while irregular, has been constant, and in thirty years the number of entries multiplied more than eightfold, the entries for 1900 being 97,967. The increase in the fees has not been exactly parallel, for the reason, probably, that at first nearly all entries were made with a payment of fee for copies of record or certificates, but from year to year a larger percentage of the entries of titles has been made without payment of fees for certificates. The fees reported for 1871 were \$10,187.15 (Mr. Spofford's report, 1871, p. 4), while the fees paid into the Treasury to cover the copyright business for the calendar year 1900 amounted to \$66,630.50.

The increase in the number of deposited articles from 1871 to 1900 has been considerably over eightfold, the books, periodicals, maps, music, photographs, and prints, etc., in 1871 numbering 19,826 articles, while in the calendar year 1900 they reached the number of 162,949.

**COPYRIGHT
ENTRIES.**

Number of entries.—It is not known how many copyright entries are recorded in the old district court record books, but the entries made in the Library of Congress from July 10, 1870, to September 30, 1901, number 1,244,988. The annual additions approach 100,000, the entries during the last four fiscal years from July 1 to June 30 being, respectively, 1897-98, 75,545; 1898-99, 80,968; 1899-1900, 94,798; 1900-1901, 92,351.

Beginning with the new century, the entries are classified to correspond with the nine classes of articles named in the copyright law as subject to copyright protection. This enables the total number of entries in each class to be ascertained each day. From January to September 30 of this

year the entries amount to a total of 66,996. For details as to copyright entries see the first part of this Report (pp. 53-54).

Index of entries.—These entries are indexed by means of cards under the names of the claimants of copyright. In addition, cards are made under the names of authors in the case of books, and under the first words of the titles (not a, an, or the) in the case of anonymous books, periodicals, and dramatic compositions, and under the leading subject word (name of locality) in the case of maps. The card index numbers upward of 700,000 cards, and more than 100,000 cards are added annually. The mere *title*, as such—that is to say, the form of words used to designate or describe an article registered for copyright protection—is not indexed. The copyright law does not give to any one person a monopoly in the use of a title, and for that reason the mere form of title has not been indexed in past years. At the present time, however, cards are made for convenience of reference for the titles of dramatic compositions, periodicals, anonymous books, and maps.

COPYRIGHTS
Index of en-
tries.

Catalogue of Title Entries.—The law provides for the publication of a weekly catalogue of title entries, which is virtually a published index of the copyright entries, and a catalogue of the articles deposited. The index cards, described above, are arranged in nine groups, to agree with the nine classes of articles copyrighted, and two sub groups, e. g., books, periodicals, maps, etc. In each class there is an alphabetical arrangement and at the end a general index, and each volume is supplied with a general index giving references from names of copyright proprietors and authors and from titles of dramatic compositions, anonymous books, periodicals, and maps. Following each entry of title is a statement giving the name and address of the copyright claimant, the date and record number of the copyright entry, and the date when the copies were deposited to complete the entry of copyright. This catalogue of title entries is distributed by law by the Treasury Department, and may be subscribed for through the nearest collector of customs at the rate of \$5 per year (for 4 volumes of from 1,200 to 1,500 pages each). Neither the Librarian of Congress nor the Register of Copyrights can take subscriptions, but a sample copy of the catalogue may be obtained, upon request, from the Register of Copyrights.

CATALOGUE OF
TITLE ENTRIES.

The issue of this catalogue began July 1, 1891, and continues currently. Full sets of the back numbers are not obtainable, a large part of the numbers being out of print.

COPYRIGHT
OFFICE: PUBLI-
CATIONS.

Other publications of the Copyright Office.—The following bulletins have been published by the Copyright Office, and will be sent to any person requesting them. Residents in the United States, Alaska, the Philippines, Hawaii, Canada, or Mexico are not required to send remittances or stamps for paying postage:

No. 1. Copyright Law. A compilation of all the United States copyright laws in force. Fifth revised edition to July, 1901, 30 pp. 8°.

No. 2. Directions for the Registration of Copyrights. Fourth revised edition of a pamphlet giving instructions for registering copyrights in the United States. July 31, 1901, 40 pp. 8°.

No. 3. Copyright Enactments, 1783-1900. A compilation of all United States copyright enactments from 1783 to 1900, including the Copyright Laws of the Original States, 1783-1786; full texts of all public and private acts of Congress relating to copyright, 1790-1900; the texts of all the Presidential proclamations relating to the extension of copyright privileges in the United States to foreigners, 1891-1900, and an index. 83 pp. 8°.

No. 4. International Copyright Union. Full text of the International Copyright Convention of September 9, 1886, with the text of the additional stipulations, signed at Paris, May 4, 1896. New edition preparing, to include the text of the Treaty of Montevideo of January 11, 1889.

No. 5. Copyright Registration in England. A reprint of the official circulars of the Copyright Office, Stationers' Hall, London, relating to the registration of copyrights in Great Britain. A new edition in preparation.

No. 6. Copyright in Canada. The text of the copyright law of Canada and of the "Rules and Forms" issued by the Canadian Copyright Bureau in relation to copyright registration in Canada. A new edition, to include recent amendatory Canadian copyright laws, in press.

In addition to the above bulletins the office has issued 35 "Information Circulars," of which the following contain matter of general interest in relation to copyright, and may be had upon request: No. 25, 1901, a, Semi-annual statement of copyright business; No. 30a, Canadian copyright act of 1900; No. 30b, Opinions of the Attorney-General of the United States, January 19 and 24, 1901, relating to the importation of Rostand's "L'Aiglon," and Liddell and Scott's "Greek-English Lexicon;" No. 31, Customs regulations as to importation of copyright articles.

Circulars.

There are in preparation, in answer to inquiries, a bulletin containing a catalogue of all newspapers and periodicals currently entered for copyright, and a bulletin containing the text, in English, of the new copyright law of Germany; and it is hoped to have prepared for printing a bibliography of the literature of literary and artistic property; a bibliography of the bills, reports, and public documents relating to copyright; a compilation of the texts of all bills, reports, and Congressional documents relative to copyright; a compilation of all decisions of the Treasury Department in relation to importation under the copyright law; a compilation giving translations in English of the texts of all foreign copyright laws; a compilation of decisions by United States courts on questions of copyright; a catalogue of books deposited to complete copyright from July 1, 1898, to December 31, 1901, etc.

Articles deposited.—The first Federal copyright law, of 1790, required the deposit of one copy of each copyright article with the Secretary of State of the United States. The next revision of the copyright law, of 1831, required copyright deposit to be made originally in the office of the clerk of the district court of the district where the author lived, and the transference, at least once in every year, of such deposited articles to the Secretary of State of the United States. The act of February 5, 1859, required the removal of the entire accumulation of deposited articles from the Department of State to the Department of the Interior and transferred to the Secretary of the Interior the duty of receiving and caring for such deposits. Meantime, the act of August 10, 1846, had provided for the delivery of *one* copy of each copyright article to the Library of Congress, and one copy to the

COPYRIGHT
DEPOSITS.
Legislation.

Smithsonian Institution, and compliance with this special requirement was facilitated by the enactment (March 3, 1855) for the free transmission through the mail of such deposits. The requirement of the deposit of one copy in the Library of Congress was emphasized by the act of March 3, 1865, providing that, if the deposit was not made within one month of publication, the Librarian was charged with the duty of demanding the deposit, in writing, within twelve months after publication, and in default of delivery within one month after such demand the copyright was forfeited. A further penalty of \$25 for failure to make deposit was enacted February 18, 1867. The act of July 8, 1870, recodifying the copyright laws, requires the deposit of *two* copies of copyright books and other articles in the Library of Congress as a condition precedent to copyright protection, and this provision was included in the Revised Statutes. The former act, 1870, ordered the removal to the Library of Congress from the Department of the Interior of all accumulations of deposited copyright articles.

COPYRIGHT:
Statistics.

The statistics are not available to show exactly the total number of articles received by the Library of Congress as the result of this legislation, but the annual reports of the Librarian of Congress from 1865 to 1896, inclusive, acknowledge the receipt of a total amounting to 1,194,643 articles, including 23,070 articles transferred from the Patent Office by virtue of the act of July 8, 1870. The deposited articles from July 1, 1897, to June 30, 1901, amount to 536,675 articles, and, estimating the deposits for the first half of the year 1897 at about 50,000 (exact figures are not available), the articles of all kinds—books, maps, periodicals, musical and dramatic compositions, engravings, chromos or lithographs, and photographs—received by the Library of Congress under the operation of the copyright law in force from 1790 to June 30, 1901, amount to a grand total of more than one and three-quarter millions.

Of these deposits one copy in the case of each class of articles has been placed in the department of the Library where it could be serviceable to the public; for example, prints in the Prints Division, maps in the Map Division, books either in the great book stacks for use in the Reading Room or in the Law Library for use there. The other copy

in each case is filed in the Copyright Office as part of the archives of that office.

Legal holidays.—The office is open from 9 a. m. to 4 p. m. on all days except Sundays and the following legal holidays: The 1st day of January (New Year's Day), the 22d day of February (Washington's Birthday), the 4th day of March (each fourth year, Inauguration Day), the 30th day of May (Decoration Day), the 4th day of July (Independence Day), the first Monday in September (Labor's Holiday), the 25th day of December (Christmas Day), and on any day appointed or recommended by the President as a day of public fast or thanksgiving, such as the last Thursday in the month of November thus appointed Thanksgiving Day. In case any one of these holidays falls upon Sunday, the next succeeding Monday is considered the legal holiday as required by act of Congress and the office is consequently closed and no registrations are made.

Legal holidays.

Functions and practice of the Copyright Office.—The Copyright Office is simply an office of record and only registers claims of copyright. It does not issue copyrights in the sense in which the Patent Office grants letters-patent, and furnishes no guarantee of literary or artistic property. A claim presented in the prescribed form for a proper subject of copyright by any person legally entitled to such registration is recorded without investigation as to the truthfulness of the representations. The office has no authority to question any claim as to authorship or proprietorship or to give consideration to conflicting claims, and for obvious reasons can give no statement of opinion upon questions of copyright which affect the rights of contending parties. But questions of fact as to copyright registration are answered by statements as to what the indexes of the office disclose.

COPYRIGHT
OFFICE:
FUNCTIONS.

The procedure requisite for recording a claim of copyright is simple, and does not require the aid of a notary nor the services of an agent. No statement is necessary except the direct application for registration, no papers are required to be sworn to, nor any certificate to be furnished. A title must be filed, or, in case of an original work of art, a description. The title must be accompanied with a statement of the nature of the article, the nationality of the author, the full name of the claimant of copyright, and the

Procedure.

statutory fee. In order to aid applicants the Copyright Office prints blank application forms which are furnished them without charge, upon request, together with circulars and bulletins containing full instructions. While, however, the steps required are very simple, they must be exactly complied with, as some of them are prerequisites to any protection. A printed copy of the title must be filed "on or before the day of publication" and two copies of the article itself "not later than the day of publication," while the notice of copyright must be printed in the exact form prescribed by the statute. In these particulars the United States law differs from the British. In Great Britain, registration of title is not compulsory, and is only necessary when a suit is brought in the case of infringement. One copy of the work has to be deposited in the British Museum, and one copy sent to each of four other libraries upon request made within a year after publication. The deposit of the two copies in the Library of Congress is a condition precedent to the copyright here. In England, however, the deposit is not explicitly such a condition. The failure to deposit involves, however, merely a money penalty.

COPYRIGHT
OFFICE.
Duties.

The duties of the office are: (1) To receive, record, and index (*a*) *titles* of articles reproduced by mechanical means—books, periodicals, musical compositions, dramatic compositions, maps or charts, engravings, cuts, or prints, chromos or lithographs, and photographs; (*b*) *descriptions* of original works of art—paintings, drawings, sculpture, and models or designs intended to be perfected as works of the fine arts; (2) to receive and properly credit the copies required to be deposited, viz, photographs of original works of art and two copies of all articles multiplied by mechanical means; (3) to prepare the Catalogue of Title Entries required to be printed each week by act of March 3, 1891 (51st Cong., 2d sess., chap. 565, sec. 4; Statutes at Large, v. 26, p. 1108); (4) to carry on such administrative work as is involved in the accomplishment of the duties stated above, e. g., accounting for all fees received, answering letters of inquiry relative to copyright entries, dating and otherwise marking titles and articles deposited and properly filing them, etc.

Fees.

All remittances received are promptly deposited in the bank designated by the Treasury Department as a national

depository, and each week the Register of Copyrights pays to the Secretary of the Treasury, by check, a sum to represent the applied fees for the week, and each month renders a detailed statement, both to the Secretary of the Treasury and to the Librarian of Congress, of the copyright business for the month. The account is rendered in the name of the Librarian of Congress, to whom the Register of Copyrights is bonded to the amount of \$20,000. Excess fees and other remittances not applied are returned to the remitters.

During the first six months of this year (1901) the mail parcels received at the Copyright Office numbered 43,473 and included, in addition to applications for copyright, 15,826 miscellaneous letters of inquiry. Of the total applications received during those six months, 4,852 were informal or illegal and therefore could not be passed for entry, and the fees accompanying them were returned to the senders, leaving, however, of the remaining applications acted upon titles entered to the number of 46,526. Separate remittances to the number of 19,813 were received, of which 2,246 being for articles not registrable, were not entered upon the cash receipt books, but were returned to the remitters, while 17,567 separate remittances were recorded, amounting to \$34,674.44, and 2,606 separate refunds were made to the remitters by an equal number of checks, amounting to \$2,675.12. The total number of articles deposited for the half year numbered 79,466.

Letters and applications.

Remittances.

During this year, therefore, more than 300,000 separate documents and articles will require handling in the Copyright Office, and it needs but a glance at these figures to realize the mass of detail involved and the need for systematic treatment in order that there shall be a steady forward movement of the material, the avoidance of confusion, and certainty that no errors shall occur.

The applications, with accompanying titles, are required to pass from one division to another for the necessary treatment—examination, marking, stamping, accounting, recording, signing, and, finally, mailing of certificate, and this movement usually requires an average of ten days from day of receipt to day of mailing certificate, but it is difficult to maintain any average where the variation in entries is as great as from less than a hundred in one day to more than a thousand in one day in the same fiscal year.

INTERNATIONAL COPYRIGHT.

International Copyright.—By the act of March 3, 1891, which went into effect on July 1 of the same year, the United States Congress, by textual amendment of the then existing copyright law, removed the limitation of the privilege of copyright to citizens of the United States and made it possible for foreign authors to obtain copyright in the United States upon the same terms as native authors, except that the fee for entry in the case of the production of a foreigner is double that for the native author. Congress distinctly provided, however, that the copyright privileges secured by 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 substantially the same basis as [to] its own citizens, or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States of America may at its pleasure become a party to such agreement."

COPYRIGHT: Foreign countries.

Under the operation of this provision, the privileges of copyright in the United States have been extended by Presidential proclamation to the authors of Belgium, Chile, Costa Rica, Denmark, France, Germany, Great Britain and her possessions (Australia, Canada, India, etc.), Italy, Mexico, Netherlands (Holland) and possessions, Portugal, Spain, and Switzerland.

The authors, artists, composers, etc., of the countries named, therefore, and their assigns, as copyright proprietors, can obtain copyright protection for their works in the United States upon the same stipulations as those which apply to American authors.

Spain.

Spain.—The war with Spain suspended the privilege of copyright in the United States for the productions of Spanish subjects. Concerning the renewal of the privilege, the Attorney-General rendered an opinion, December 2, 1898, under which registration of titles of works by citizens of Spain was resumed on April 11, 1899, when the treaty of peace was ratified.

Hawaii, etc.

Hawaii, Porto Rico, Cuba, and the Philippines.—In regard to the privilege of copyright in the United States on behalf of the inhabitants of Hawaii, Porto Rico, Cuba, and the Philip-

piners, the opinion of the Attorney-General, December 2, 1898, was as follows: "In my opinion, when they shall have been directly ceded by treaty to the United States, and such treaty duly ratified by the Senate, their respective inhabitants will *not* be entitled to the benefits of the copyright laws unless the treaty, by its terms, confers such rights, or Congress shall afterwards extend such laws to the inhabitants of these countries."

Porto Rico and Hawaii.—Since the above opinion of the Attorney-General was written an "Act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," was approved April 12, 1900, to go into effect on May 1; and an "Act to provide a government for the Territory of Hawaii" was approved April 30, 1900, to take effect on June 14. Under the provisions of these acts the titles of books and other articles by citizens of Porto Rico and Hawaii have been registered in the Copyright Office since May 1, 1900, and June 14, 1900, respectively, as a preliminary to copyright protection.

Copyright in foreign countries.—The benefits of copyright are available for the productions of American citizens in the countries named above (p. 290), but only as they are available to the citizens of such countries. That is to say, citizens of the United States can obtain copyright abroad in the countries named, and in such other countries as by their laws grant copyright privileges to aliens, by taking the steps required by the laws and regulations in force in each country. Application should be made to the copyright bureau or government officer charged with the administration of copyright business in each case. Owing to the diversity of the requirements, and the necessity of complying exactly with the law and the departmental regulations, the practical way is to secure the services of an agent or publisher abroad.

As the United States is not a party to the International Copyright Union, copyright protection is not secured abroad by virtue of copyright registration in this country. *Entry of copyright at Washington gives protection to the copyright only within the United States.* Moreover, the Copyright Office of the Library of Congress has no official functions as regards the securing of copyrights abroad, and can take no action regarding such foreign copyright protection.