

This act shall not prejudice the rights of either university.

therein contained, shall extend or be construed to extend to prejudice the ancient right or custom of the two universities of *Oxford* and *Cambridge*, or either of them, or their clerks of the market, or the practice within the several jurisdictions there used, to set, ascertain, and appoint the assize and weight of all sorts of bread, to be sold or exposed to sale within their several jurisdictions; but that they shall and may severally and respectively, from time to time, as there shall be occasion, set, ascertain, and appoint, within their several and respective jurisdictions, the assize and weight of all sorts of bread to be sold or exposed to sale, by any baker or other person whatsoever, within the limits of their several jurisdictions, and shall and may enquire and punish the breach thereof, as fully and freely, in all respects as they used to do, as if this act had never been had or made; any thing herein contained to the contrary thereof notwithstanding.

To continue for 3 years, &c.

XIV. Provided always, That this act shall continue for three years, and from thence to the end of the next session of parliament, and no longer.

Continued by 1 Geo. 1. stat. 2. cap. 26. sect. 4. with some alterations.

Continued by 5 Geo. 1. cap. 25. for five years.

Continued by 10 Geo. 1. cap. 17. for seven years, &c.

And farther continued by 3 Geo. 2. c. 29. sect. 1. until March, 1738.

By 12 Geo. 2. c. 13. and amended; and by 22 Geo. 2. c. 46. to 24 June 1757. and to the end of the next session, and amended.

C A P. XIX.

An act for the encouragement of learning, by vesting the copies of printed books in the author's or purchasers of such copies, during the times therein mentioned.

WHEREAS printers, booksellers, and other persons have of late frequently taken the liberty of printing, reprinting, and publishing, or causing to be printed, reprinted, and published, books and other writings, without the consent of the authors or proprietors of such books and writings, to their very great detriment, and too often to the ruin of them and their families: for preventing therefore such practices for the future, and for the encouragement of learned men to compose and write useful books; may it please your Majesty, that it may be enacted, and be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the tenth day of *April*, one thousand seven hundred and ten, the author of any book or books already printed, who hath not transferred to any other the copy or copies of such book or books, share or shares thereof, or the bookseller or booksellers, printer or printers, or other person or

After 10 April 1710. the authors of books already printed, who have not transferred their rights, and the booksellers, &c. who have purchased copies, shall have the sole right of print-

or persons, who hath or have purchased or acquired the copy or copies of any book or books, in order to print or reprint the same, shall have the sole right and liberty of printing such book and books for the term of one and twenty years, to commence from the said tenth day of *April*, and no longer; and that the author of any book or books already composed, and not printed and published, or that shall hereafter be composed, and his assignee or assigns, shall have the sole liberty of printing and reprinting such book and books for the term of fourteen years, to commence from the day of the first publishing the same, and no longer; and that if any other bookseller, printer, or other person whatsoever, from and after the tenth day of *April*, one thousand seven hundred and ten, within the times granted and limited by this act, as aforesaid, shall print, reprint, or import, or cause to be printed, reprinted, or imported, any such book or books, without the consent of the proprietor or proprietors thereof first had and obtained in writing, signed in the presence of two or more credible witnesses; or knowing the same to be so printed or reprinted, without the consent of the proprietors, shall sell, publish, or expose to sale, or cause to be sold, published, or exposed to sale, any such book or books, without such consent first had and obtained, as aforesaid: then such offender or offenders shall forfeit such book or books, and all and every sheet or sheets, being part of such book or books, to the proprietor or proprietors of the copy thereof, who shall forthwith damask, and make waste paper of them; and further, That every such offender or offenders shall forfeit one penny for every sheet which shall be found in his, her, or their custody, either printed or printing, published, or exposed to sale, contrary to the true intent and meaning of this act; the one moiety thereof to the Queen's most excellent majesty, her heirs and successors, and the other moiety thereof to any person or persons that shall sue for the same, to be recovered in any of her Majesty's courts of record at *Westminster*, by action of debt, bill, plaint, or information, in which no wager of law, essoin, privilege, or protection, or more than one imparlance shall be allowed.

II. *And whereas many persons may through ignorance offend against this act, unless some provision be made, whereby the property in every such book, as is intended by this act to be secured to the proprietor or proprietors thereof, may be ascertained, as likewise the consent of such proprietor or proprietors for the printing or reprinting of such book or books may from time to time be known; be it therefore further enacted by the authority aforesaid, That nothing in this act con-*

tained shall be construed to extend to subject any bookseller, printer, or other person whatsoever, to the forfeitures or penalties therein mentioned, for or by reason of the printing or reprinting of any book or books without such consent, as aforesaid, unless the title to the copy of such book or books hereafter published shall, before such publication, be entred in the register book of the company of stationers, in such manner as hath been usual, which register book shall at all times be kept at the

ing them for the term of 21 years: and the authors of books not printed, to have the sole right of printing for 14 years. Punishment of bookseller, &c. printing without consent of the proprietor.

Copies to be entred before publication in the register book of the company of stationers;

which may be inspected at any time without fee. Clerk of the company to give a certificate of such entry.

Penalty of the clerk refusing so to do.

After 25 Mar. 1710. the archbishop of Canterbury, &c. to settle the prices of books, upon complaint made that they are unreasonable.

hall of the said company, and unless such consent of the proprietor or proprietors be in like manner entred as aforesaid, for every of which several entries, six pence shall be paid, and no more; which said register book may, at all seasonable and convenient time, be resorted to, and inspected by any bookseller, printer, or other person, for the purposes before-mentioned, without any fee or reward; and the clerk of the said company of stationers shall, when and as often as thereunto required, give a certificate under his hand of such entry or entries, and for every such certificate may take a fee not exceeding six pence.

III. Provided nevertheless, That if the clerk of the said company of stationers for the time being, shall refuse or neglect to register, or make such entry or entries, or to give such certificate, being thereunto required by the author or proprietor of such copy or copies, in the presence of two or more credible witnesses, That then such person and persons so refusing, notice being first duly given of such refusal, by an advertisement in the *Gazette*, shall have the like benefit, as if such entry or entries, certificate or certificates had been duly made and given; and that the clerks so refusing, shall, for any such offence, forfeit to the proprietor of such copy or copies the sum of twenty pounds, to be recovered in any of her Majesty's courts of record at *Westminster*, by action of debt, bill, plaint, or information, in which no wager of law, essoin, privilege or protection, or more than one imparlance shall be allowed.

IV. Provided nevertheless, and it is hereby further enacted by the authority aforesaid, That if any bookseller or booksellers, printer or printers, shall, after the said five and twentieth day of *March*, one thousand seven hundred and ten, set a price upon, or sell, or expose to sale, any book or books at such a price or rate as shall be conceived by any person or persons to be too high and unreasonable; it shall and may be lawful for any person or persons, to make complaint thereof to the lord archbishop of *Canterbury* for the time being, the lord chancellor, or lord keeper of the great seal of *Great Britain* for the time being, the lord bishop of *London* for the time being, the lord chief justice of the court of *Queen's Bench*, the lord chief justice of the court of *Common Pleas*, the lord chief baron of the court of *Exchequer* for the time being, the vice chancellors of the two universities for the time being, in that part of *Great Britain* called *England*; the lord president of the sessions for the time being, the lord chief justice general for the time being, the lord chief baron of the *Exchequer* for the time being, the rector of the college of *Edinburgh* for the time being, in that part of *Great Britain* called *Scotland*; who, or any one of them, shall and have hereby full power and authority, from time to time, to send for, summon, or call before him or them such bookseller or booksellers, printer or printers, and to examine and enquire of the reason of the dearness and inhauncement of the price or value of such book or books by him or them so sold or exposed to sale; and if upon such enquiry and examination it shall be found, that

that the price of such book or books is inhaunced, or any wise too high or unreasonable, then and in such case the said archbishop of *Canterbury*, lord chancellor or lord keeper, bishop of *London*, two chief justices, chief baron, vice chancellors of the universities, in that part of *Great Britain* called *England*, and the said lord president of the sessions, lord justice general, lord chief baron, and the rector of the college of *Edinburgh*, in that part of *Great Britain* called *Scotland*, or any one or more of them, so enquiring and examining, have hereby full power and authority to reform and redress the same, and to limit and settle the price of every such printed book and books, from time to time, according to the best of their judgments, and as to them shall seem just and reasonable; and in case of alteration of the rate or price from what was set or demanded by such book-seller or booksellers, printer or printers, to award and order such book-seller and booksellers, printer and printers, to pay all the costs and charges that the person or persons so complaining shall be put unto, by reason of such complaint, and of the causing such rate or price to be so limited and settled; all which shall be done by the said archbishop of *Canterbury*, lord chancellor or lord keeper, bishop of *London*, two chief justices, chief baron, vice chancellors of the two universities, in that part of *Great Britain* called *England*, and the said lord president of the sessions, lord justice general, lord chief baron, and rector of the college of *Edinburgh*, in that part of *Great Britain* called *Scotland*, or any one of them, by writing under their hands and seals, and thereof publick notice shall be forthwith given by the said book-seller or booksellers, printer or printers, by an advertisement in the *Gazette*; and if any book-seller or booksellers, printer or printers, shall, after such settlement made of the said rate and price, sell, or expose to sale, any book or books, at a higher or greater price, than what shall have been so limited and settled, as aforesaid, then, and in every such case such book-seller and booksellers, printer and printers, shall forfeit the sum of five pounds for every such book so by him, her, or them sold or exposed to sale; one moiety thereof to the Queen's most excellent majesty, her heirs and successors, and the other moiety to any person or persons that shall sue for the same, to be recovered, with costs of suit, in any of her Majesty's courts of record at *Westminster*, by action of debt, bill, plaint or information, in which no wager of law, essoin, privilege, or protection, or more than one imparlance shall be allowed.

and if altered from the price the bookseller set, may order him to pay costs to the party complaining.

Penalty on booksellers selling at higher rates.

V. Provided always, and it is hereby enacted, That nine copies of each book or books, upon the best paper, that from and after the said tenth day of *April*, one thousand seven hundred and ten, shall be printed and published, as aforesaid, or reprinted and published with additions, shall, by the printer and printers thereof, be delivered to the warehouse keeper of the said company of stationers for the time being, at the hall of the said company, before such publication made, for the use of the royal library, the libraries of the universities of *Oxford* and *Cambridge*, After 10 April 9 copies of each book shall be delivered to the warehouse keeper of the company of stationers, for the use of the university libraries, &c.

Warehouse
keeper to de-
liver the books
10 days after
demand.

Penalty of
proprietor, &c.
not observing
the directions
of this act.

Penalties in
Scotland, how
recoverable.

This act not
to hinder the
importation,
&c. of books in
Greek, &c.
printed be-
yond sea.

General issue.

This act not
to prejudice
the right of
the universi-
ties.

Actions for
offences a-
gainst this act,
to be brought
in 3 months.

After the 14
years, the
right of print-
ing, &c. to re-

bridge, the libraries of the four universities in *Scotland*, the library of *Sion College* in *London*, and the library commonly called the library belonging to the faculty of advocates at *Edinburgh* respectively; which said warehouse keeper is hereby required within ten days after demand by the keepers of the respective libraries, or any person or persons by them or any of them authorized to demand the said copy, to deliver the same, for the use of the aforesaid libraries; and if any proprietor, bookseller, or printer, or the said warehouse keeper of the said company of stationers, shall not observe the direction of this act therein, that then he and they so making default in not delivering the said printed copies, as aforesaid, shall forfeit, besides the value of the said printed copies, the sum of five pounds for every copy not so delivered, as also the value of the said printed copy not so delivered, the same to be recovered by the Queen's majesty, her heirs and successors, and by the chancellor, masters, and scholars of any of the said universities, and by the president and fellows of *Sion College*, and the said faculty of advocates at *Edinburgh*, with their full costs respectively.

VI. Provided always, and be it further enacted, That if any person or persons incur the penalties contained in this act, in that part of *Great Britain* called *Scotland*, they shall be recoverable by any action before the court of session there.

VII. Provided, That nothing in this act contained, do extend, or shall be construed to extend to prohibit the importation, vending, or selling of any books in *Greek*, *Latin*, or any other foreign language printed beyond the seas; any thing in this act contained to the contrary notwithstanding.

VIII. And be it further enacted by the authority aforesaid, That if any action or suit shall be commenced or brought against any person or persons whatsoever, for doing or causing to be done any thing in pursuance of this act, the defendants in such action may plead the general issue, and give the special matter in evidence; and if upon such action a verdict be given for the defendant, or the plaintiff become nonsuited, or discontinue his action, then the defendant shall have and recover his full costs, for which he shall have the same remedy as a defendant in any case by law hath.

IX. Provided, That nothing in this act contained shall extend, or be construed to extend, either to prejudice or confirm any right that the said universities, or any of them, or any person or persons have, or claim to have, to the printing or reprinting any book or copy already printed, or hereafter to be printed.

X. Provided nevertheless, That all actions, suits, bills, indictments, or informations for any offence that shall be committed against this act, shall be brought, sued, and commenced within three months next after such offence committed, or else the same shall be void and of none effect.

XI. Provided always, That after the expiration of the said term of fourteen years, the sole right of printing or disposing of copies

copies shall return to the authors thereof, if they are then living, turn to the author for other 14 years.

CAP. XX.

An act for raising the militia for the year one thousand seven hundred and ten, although the month's pay formerly advanced, be not repaid.
E X P.

CAP. XXI.

An act for vesting certain lands, tenements, and hereditaments in trustees, for the better fortifying and securing the harbours and docks at Portsmouth, Chatham, and Harwich.

WHEREAS in pursuance of an act of parliament passed in the seventh year of her now Majesty's reign, intituled, An act for appointing commissioners to treat and agree for such lands, tenements, and hereditaments, as shall be judged proper to be purchased for the better fortifying Portsmouth, Chatham, and Harwich, her Majesty was pleased by letters patents under the great seal of Great Britain, bearing date at Westminster the seventeenth day of June, in the eighth year of her reign, to authorize certain persons therein mentioned, or any five or more of them, to make surveys of, and particularly describe all such lands, tenements, and hereditaments, as are proper to be purchased for the uses and purposes aforesaid, and to execute all powers, directions, clauses, matters, and things, in the said act contained: and whereas five or more of the said commissioners have made surveys of, and particularly described by lines, stakes, boundaries, and plans, such lands, tenements, and hereditaments, as they judged proper to be purchased for the uses and purposes in the said act mentioned, and have likewise treated and agreed with several of the owners and others interested in the said lands, tenements, and hereditaments, who were able and willing to treat and agree for the same: and whereas several proprietors of lands, tenements, and hereditaments, in the respective places of Portsmouth, Chatham, and Harwich, which were by five or more of the said commissioners judged proper to be purchased, have insisted upon extravagant rates, and refused to agree with the said commissioners, without unreasonable gain to themselves; and other proprietors by reason of nonage, coverture, or especial limitations in settlements, were disabled to treat and agree, as aforesaid; for which reasons five or more of the said commissioners, pursuant to the said act, issued out their warrants to the sheriffs of each county, where the said several lands, tenements, and hereditaments respectively lay, to impanel and return before them, at such times and places as by such warrants were appointed, a sufficient jury, and at such times and places respectively, a sufficient jury appeared, who upon their oaths did enquire into, and present the true value of all such lands, tenements, and hereditaments, and the estates and interests therein, as the said commissioners could not agree for, as aforesaid; which several verdicts or inquisitions have been returned and certified, with the whole proceedings thereupon, to her Majesty, into the high court of Chancery, pursuant, and according to the said act of parliament; and it being highly necessary, that all and singular