

Changing relationships between authors and publishers: Lithuania Major in the first half of the 19th century

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Summary

The changing relationship between authors and publishers was a phenomenon related to the model of modern book publishing business which began to emerge in Lithuania Major, as well as throughout much of Central and Eastern Europe in the early 19th century. The topic of this research is the legal framework established in 1830 as part of Russian censorship laws intended to regulate property rights of authors and publishers, which was also applied in the occupied territory of Lithuania. Different sources and methods were used in this article to answer to the following questions: "How were the rights and obligations of authors and publishers understood in documents regulating publishing activities in Lithuania Major in the first decades of the 19th century (i.e. before 1830)?"; "How was this concept legitimized in the first legal enactments regulating copyrights (i.e. after the introduction of regulations)?"; "How were these mutually useful relationships reflected in Lithuanian book publishing before the Russian occupational government imposed radical measures to restrict Lithuanian national culture and publishing in 1864?" The main sources of data were the 19th century official and unofficial documents regulating publishing activities (including, most importantly, the censorship laws of the time) and archival materials documenting the activities of Lithuanian private publishers and book authors of the time, such as correspondence and documentation on the activities of publishing institutions.

KEY WORDS: private publishing business, copyrights, authorship payments, Lithuania Major.

Introduction

The Polish and Lithuanian Commonwealth existed for a few centuries and disappeared from the map of Europe in 1795. The major part of the lands of the former Grand Duchy of Lithuania was annexed by the Russian Empire.

Nevertheless, even under the hundred-year occupation, Lithuania Major¹ and Vilnius with its old printing and book production traditions managed to maintain their position as an important cultural centre on the eastern end of Central Europe. Vilnius is famous for the extensive development of book publishing and production which catered to various cultural, information, confessional and communication needs of both Lithuanians and neighbouring nations. Changes in the publishing business started in the 18th century, in Lithuania as well as in other European countries, and continued in the 19th century. The structure and organization of publishing activities, however, faced certain transformations; publishing became an independent branch of business and commerce. While the role of a publisher-patron, seen as an institutional or individual mediator between the author and the reader, decreased, a new category of publishers emerged. Secular professional publishers earned a living from publishing books. In the first decades of the 19th century, secular businessmen, in Germany called *Verleger*, established themselves in the Lithuanian book printing business by setting up book printing and trading enterprises which often combined book printing and publishing, or bookselling and publishing activities. Some even engaged in book publishing, production and distribution activities combined. Such professional publishers became the most important factors in organizing the publishing business, their publications constituted the largest share in the book publishing production of the time. As publishers of Lithuanian books, they cooperated with Lithuanian authors, whose numbers had gradually increased by the first half of the 19th century (Navickienė 1997). Due to various circumstances, the key forces of Lithuanian book authors and publishers were emerging in Lithuania Major. In 1794–1864 Lithuania Major had caught up with and even surpassed Lithuania Minor², previously a leader in Lithuanian book publishing (Navickienė 2010). A new generation of patriots in Lithuanian book culture appeared in these ethnic Lithuanian lands. Through their efforts, the repertoire of Lithuanian publications for the population of Lithuania Major had grown threefold and was supplemented by the first printed texts on agriculture and housekeeping, health, original fiction, first Lithuanian scientific publications and bibliographical bulletins (Navickienė 2013).

This article aims to analyse the changes in the relationships between Lithuanian book authors and publishers between 1795 (the third division of the Polish

1 Lithuania Major is a term used to define the ethnic Lithuanian lands that stretched northwards and eastwards from the border between the Grand Duchy of Lithuania and Prussia (later German Empire) and initially ruled by the Grand Duchy of Lithuania and later, 1795-1915, by the Russian Empire, in 1918-40 by the Independent Republic of Lithuania, in 1940-90 annexed by the USSR, and, finally, from 1990 on by the reestablished Independent Republic of Lithuania.

2 Lithuania Minor is a term used to define a territory on the left bank of the river Nemunas that was annexed by Teutonic Orders in the 13th century, later belonged to Prussia and from the middle of the 19th century was a part of the German Empire. Lithuania Minor got its name due to the territory's substantial Lithuanian-speaking population. Today only a small portion of Lithuania Minor is within the borders of modern Lithuania and Poland, while most of the territory is a part of the Kaliningrad Oblast in Russia.

and Lithuanian State) and 1864 (when the Tsarist government banned all press in Latin script) and to prove that Lithuania Major had a rudimentary book business in the early 19th century. In order to do that, it is important to answer the following questions: “When did the issue of authors and publishers’ rights become more relevant in Lithuania?”; “When did copyright laws gain legal power?”; “How were the authors and publishers’ rights defined within the new legal framework?”; “What were the amounts of authorship fees?”; “Were there any professional authors writing in Lithuanian who could replace educated laymen and clergymen as authors of religious and secular texts?”

The analysis of data from different sources, like archival documents testifying the activities of Lithuanian private publishers of the time, which are kept in the Lithuanian State Historical Archives³, official documents in regulation of the publishing activities⁴ (including censorship laws of the time) and correspondence by Lithuanian authors containing facts about authorship payments⁵ (scattered across Lithuanian libraries and archives), has allowed us to gain the following insights.

- 3 Договоры, заключенные издательством «Юзефа Завадского» с композиторами и авторами литературных, научных, религиозных и других произведений 1859–1927. *Lithuanian States Historical Archives*, f. 1135, ap. 7, b. 40; Журнал регистрации высланных разным лицам книг. 1817–1822. *Lithuanian States Historical Archives*, f. 7, ap. 7, b. 67; Журнал регистрации высланных разным лицам книг и периодической печати. 1861–1863. *Lithuanian States Historical Archives*, f. 1135, ap. 7, b. 124; Книга регистрации высланных разным лицам книг, нот и др. 1833–1837. *Lithuanian States Historical Archives*, f. 1135, ap. 7, b. 85; Книга регистрации высланных разным лицам книг, периодической печати и периодических изданий. 1852–1853. *Lithuanian States Historical Archives*, f. 1135, ap. 7, b. 102; Книга регистрации высланных разным лицам нот и книг. 1863–1872. *Lithuanian States Historical Archives*, f. 1135, ap. 7, b. 128; Книга регистрации высланных разным лицам нот, книг, периодической печати и прочее. 1859–1861. *Lithuanian States Historical Archives*, f. 1135, ap. 7, b. 120; Книга регистрации отправленных заказов книг. 1853–1865. *Lithuanian States Historical Archives*, f. 1135, ap. 7, b. 109; Книга регистрации отправленных книг в Ворни и Шидлово. 1853–1863. *Lithuanian States Historical Archives*, f. 1135, ap. 7, b. 106.
- 4 “О правах сочинителей, переводчиков и издателей: высочайше утвержденное мнение Государственного Совета.” *In Полное собрание законов Российской империи. Собрание 2-о, т. 5, отделение 1-ое, 17–21.* Санкт-Петербург, 1831; *Сборник постановлений и распоряжений по цензуре с 1720 по 1862 год.* Санкт-Петербург, 1862.
- 5 [M. Akelaitis’ letters to A. Zawadzki]. 1856. *Manuscript Department of Wroblewski Library of the Lithuanian Academy of Sciences*, f. 7, b. 536b; Daukantas, S. 1976. “Laiškai.” *In Raštai*, 709–792. Vilnius; Genzelis, B. et al. 1992. *Lietuvių kultūros veikėjų laiškai J. I. Kraševskii.* Vilnius, 1992; [P. Gomaliauskas’ letter to A. Zawadzki]. 1851. *Manuscript Department of Wroblewski Library of the Lithuanian Academy of Sciences*, f. 7, b. 623; [L. Ivinskis’ letters to A. Zawadzki]. 1850–1861. *Manuscript Department of Wroblewski Library of the Lithuanian Academy of Sciences*, f. 7, b. 647; Ivinskis, L. 1995. “L. Ivinskio laiškai.” *In Raštai*, 403–491. Vilnius; Janulaitis, A. 1925. “M. Akelaičio laiškai.” *Tauta ir žodis* 3: 292–321; Janulaitis, A. 1926. “M. Akelaičio laiškai.” *Tauta ir žodis* 4: 433–443; [Antano ir Vincento Juzumai’s letters to A. Zawadzki]. 1854–1856. *Manuscript Department of Wroblewski Library of the Lithuanian Academy of Sciences*, f. 7, b. 668; [M. Marcinkis’ letters to A. Zawadzki]. 1856. *Manuscript Department of Wroblewski Library of the Lithuanian Academy of Sciences*, f. 7, b. 745; Navickienė, A. 2007. “Mikalojaus Akelaičio laiškai Adomui Zawadzkiui.” *Knygotyra* 49: 188–213; [K. R. Nezabitauskis’ letter to A. Zawadzki]. 1856. *Manuscript Department of Wroblewski Library of the Lithuanian Academy of Sciences*, f. 7, b. 777; [O. Praniauskas’ letters to A. Zawadzki]. 1854–1861. *Manuscript Department of Wroblewski Library of the*

Documents in the regulation of the rights of authors and publishers in Lithuania Major, 1795 – 1864

The importance of copyrights in 19th century Lithuania Major is testified in various preserved documents. In 1805, Vilnius University emphasized the publisher's duty to publish books without copyright infringement by selling their printing house to Józef Zawadzki (the first private publisher in Lithuania, who acquired knowledge in Germany) (Шулькина 1962: 109).

It is also important to note that Duke Adam Jerzy Czartoryski (the patron of Vilnius educational county – the largest in the Russian Empire at that time – and close friend of Russian Tsar Alexander I) instructed the Censorship Committee of Vilnius University to ensure that works by living authors could be allowed for printing only by their initial publishers lest the ownership rights be violated and infringements made on development of publishing (Шулькина 1962: 109). But, perhaps the earliest preserved document expressing the concern of Lithuanian publishers regarding the necessity to solve the copyright issue on the state level, is a manuscript compiled by Józef Zawadzki in October 1818. The manuscript has two parts; the first one was entitled "*Napomknienie powodów do ustanowienia prawideł dla powszechności księgarstwa w Królestwie Połskiem*" (*The Reminder of the Reasons why Rules Should be Set for the Entire Duchy of Poland*). The second was called "*Prawidła ogólne dla powszechności księgarskiej w Królestwie Połskiem. Punkta do projektu*" (*Common Rules for the Bookmen's Community in the Kingdom of Poland. Articles of the Project*).

In the first part, it refers to the book publishing situation in the former Polish-Lithuanian Commonwealth and, among other things, mentions the issue of copyright:

In France before the revolution and in many other countries up to the present day, authors and bookmen's property have been protected by exclusive privileges granted by the monarchs separately to each specific work. This method requires a lot of effort and is not accessible to everybody. In 1793, in France, a common law was applied for this matter, [thus] we could only wish that the same would be followed everywhere else and it could satisfy the complaints primarily voiced in Germany.

Lithuanian Academy of Sciences, f. 7, b. 818, 882; [K. Prialgauskis' letter to A. Zawadzki]. 1859. *Manuscript Department of Wroblewski Library of the Lithuanian Academy of Sciences*, f. 7, b. 823; [J. Račkauskis' letter to A. Zawadzki's book shop]. 1856. *Manuscript Department of Wroblewski Library of the Lithuanian Academy of Sciences*, f. 7, b. 826; [J. Račkauskis' laiškaai to A. Zawadzkiui]. 1853–1861. *Manuscript Department of Wroblewski Library of the Lithuanian Academy of Sciences*, f. 7, b. 825; [K. Skrodzki's letters to A. Zawadzki]. 1856. *Manuscript Department of Wroblewski Library of the Lithuanian Academy of Sciences*, f. 7, b. 853; Turkowski, T. 1935–1937. *Materjały do dziejów literatury i oświaty na Litwie i Rusi z archiwum drukarni i księgarni Józefa Zawadzkiego w Wilnie z lat 1805–1865*. T. 1–3. Wilno; [M. Valančius' letters to A. Zawadzki]. 1851. *Manuscript Department of Wroblewski Library of the Lithuanian Academy of Sciences*, f. 7, b. 921; Valančius, M. 1972. "Iš laiškų." In *Raštai*. T. I, 499–527. Vilnius; [B. Velička's letter to A. Zawadzki]. 1860. *Manuscript Department of Wroblewski Library of the Lithuanian Academy of Sciences*, f. 7, b. 901; [J. Želvavičius' letters to A. Zawadzki]. 1850–1860. *Manuscript Department of Wroblewski Library of the Lithuanian Academy of Sciences*, f. 7, b. 944.

Under the old Polish government, there were no laws issued by the legislative authorities in regulation of the book business, so it had never prospered and could not prosper. Besides, as many other matters developed only under some pressure and by imitating foreigners, so was the case with the publishing business, which, without any appropriate legal framework, occasionally saw the royal privileges which prohibited reprinting of publications. Some privileges would even appear absolutely opposite to the intentions of printing. In the books he printed, Dufour⁶ claimed to possess the privilege to music. Although this privilege was incorrect and even harmful, it had caused no real damage simply because of the circumstances, since nobody in the country thought of selling [music] or of musical ability. Business skills were more necessary than restrictions. Polish bookmaking business has never reached the level [of perfection] where printing matters could cause serious admiration (Sterzyński 1930: 5)⁷.

In the second part J. Zawadzki formulated 32 recommendations similar to a book publishing business development plan. The fourth recommendation introduced a concept of copyright:

Authors and translators, composers, artists and graphic artists regardless of their nationality should enjoy an exclusive right to their printed or multiplied works, the rights to sell them personally or by using bookmen's services, without even belonging to a professional class [community] of bookmakers. They should be entitled to transfer this right of theirs to anybody they wish, their heirs after their death or those who obtained the copyright can enjoy it for ten years. Such exclusive rights may be obtained by delivering two copies of the work to the Warsaw University library and getting a written confirmation from the librarian. Those who violate the exclusive rights by publishing or multiplying books or works illegally shall be subject to reimbursement to the aggrieved party in possession of the ownership document the costs of publishing a thousand copies of the work and such counterfeit publications shall also be confiscated, turned into waste-paper and given to the aggrieved party. N[ota] B[bene]. The law of the country has to explain, who is in charge of support to operative confiscation of such counterfeit copies of a publication, and evoke a penalty from the counterfeiter (Sterzyński 1930: 26 – 27)⁸.

Now it is impossible to establish to what extent the aforementioned memorial by Zawadzki, partially published in the Warsaw periodical *Pamiętnik Warszawski* in 1818⁹, determined the content of the future copyright law of the Russian Empire. However, Zawadzki's active position, together with other publishers and censorship committees fighting for legal regulation of author's intellectual ownership rights was what induced Tsar Nikolai I to sign the first copyright law in Russia, in 1830¹⁰.

6 Pierre Dufour, 1729–97.

7 Translated from Polish into Lithuanian by Petras Račius; from Lithuanian into English by Jurga Grunskienė.

8 Translated from Polish into Lithuanian by Petras Račius; from Lithuanian into English by Jurga Grunskienė.

9 "O księgarstwie w Polsce". *Pamiętnik Warszawski*, vol. XII (1818): 455–481.

10 Original document was: "О правах сочинителей, переводчиков и издателей: высочайше утвержденное мнение Государственного Совета." In *Полное собрание законов Российской империи*. Собрание 2-о, т. 5, отделение 1-ое, 17–21. Санкт-Петербург, 1831.

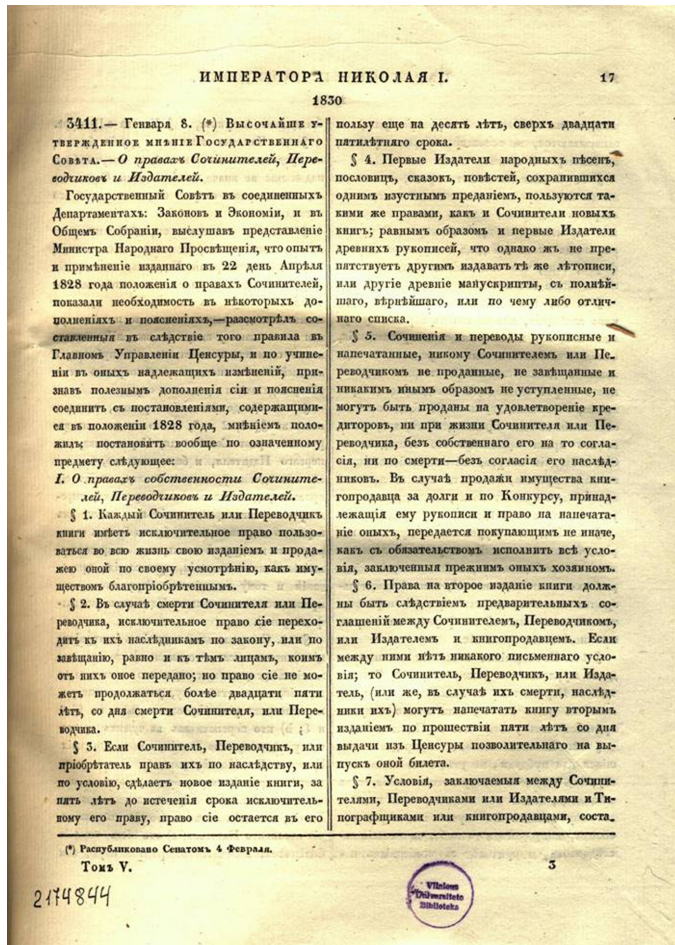


Figure 1. The page from the first copyright law in Lithuania (1830)

The first appearance of such laws regulating intellectual ownership rights in Russia was directly connected to legislation regulating print control. In order to make press control more effective, the legislation of special, so-called censorship

In recent decades the history of legal regulations of intellectual property has gained some more attention by researchers in Lithuania. The first article devoted to the copyright law in Lithuania according to the legislation of the Tsarist Russia was published in 2001 by Stasys Vancevičius (Vansevičius, S. 2001) in the collection of law scientific works of Vilnius University. In 2008 the complex research in the field of copyright law first appeared in Lithuania – the monograph *Autorių teisė* by Vytautas Mizaras (Mizaras, V. 2008), which although falling beyond the problems of history provided systemic knowledge on the development of this type of law, both in the world and Lithuania. In 2009 a source-exploring publication appeared presenting the translated into the Lithuanian language first copyright law that was once valid in the territory of Lithuania: Navickienė, A. 2009. “Intelektinę nuosavybę reglamentuojantys teisiniai dokumentai XIX a. pirmosios pusės carų valdomoje Lietuvoje.” *Knygotyra* 53: 198–216.

laws started in 1804. The first of such censorship laws, signed in 1804 by Tsar Alexander I, did not address any copyright issues or publishers' responsibilities to authors. The issue was only defined by a similar law, passed on 10 June 1826, which was more extensive and covered more areas of the censorship activities. This law specified the procedures were to be observed by authors, translators and/or publishers in submitting a manuscript to the censorship committee, and it also provided that: "in case the publisher is not the author of the work or book, which he is willing to publish, he has to produce a written confirmation that a copyright to such work has been legally obtained" (Сборник 1862: 142). The third censorship law, passed two years later, included a few statements on authors' rights, but their practical application was troublesome and in need of improvement. Therefore, after becoming acquainted with the copyright protection rules prepared by the General Censorship Board, on 8 January 1830, the State Council recognized the rules were useful and directed to add them to the Censorship Regulations of 1828. Thus the Copyright Law became the Seventh Article – *On the Authors, Translators and Publishers' Rights* – supplementing the Censorship Regulations (1828) (Сборник 1862: 379 – 396). The fully approved legal document consisted of 39 paragraphs divided into three chapters. The first one – *On the Ownership Rights of Authors, Translators and Publishers* – identified materials subject to the copyright law, including original works, translations, first editions of folk songs, proverbs, fairy tales and other narratives, first editions of ancient manuscripts, magazines and other periodicals, almanacs and collections. Every author or translator of a book, the first publisher of folklore or ancient manuscripts was granted the exclusive right to lifelong publishing and distribution of his own works, by using this ownership as any other legally obtained property. The copyright validity term was set to twenty five years. This chapter had also legitimized the provision stating the second edition of a book was a matter of agreement between the author, translator, publisher and bookseller, and specified that the contract between the author, translator, publisher, typographer and bookseller had to be concluded on special stamped paper and registered in compliance with the applicable procedure. The new legislation had also provided an exclusive right to the author to publish his/her book regardless of any previous agreements, if two thirds of the text were replaced or rewritten, or if a book had been granted an absolutely new form. This was a final definition of what was considered an original work and a repeated edition. The law also defined that the successor's ownership rights came into effect following a notice with appropriate evidence within one year after the author's death; the period was extended to two years for persons living abroad. A violator of these laws was referred to as the counterfeiter. The legislation also provided a detailed explanation, stating which publications should be referred to as the counterfeit or illegal. Illegitimate activities of counterfeiters imposed certain punishments: the guilty party had to compensate the full loss to the legal publisher, and the total amount was calculated considering the production price of all copies of illegal publication and sales price initially announced by the legitimate publisher (for the same book) and copies of counterfeit edition were to be confiscated in favour of the legitimate publisher.

The first chapter *On the Ownership Rights of Authors, Translators and Publishers* encompassed the key issues of the copyright law and was quite elaborate. The second and third chapters though were not as extensive. The second chapter – *On the Rights of Academies, Universities, Schools, Scientific and Other Societies to Books and Literary Works They Publish* – consisted of five clauses regulating exclusive ownership rights by book publishing societies. The third chapter – *On Deeds by Courts and Governmental Institutions Concerning the Matters Related to Author, Translator and Publisher's Ownership Rights* – listed the institutions responsible for ensuring compliance with the law provisions, also on dispute resolution between authors, translators, first publishers or typographers and booksellers regarding the ownership of books or other scientific or literary works, and finally on litigation procedures in cases of non-performance of contracts. The third chapter provisions entrusted the law enforcement to local censorship committees and General Censorship Board. Any disputes between publishers had to be settled in arbitrages or with the help of competent public institutions, foreseeing the regular procedure for litigation which started from the lowest instances.

As mentioned before, the provisions of the 1830 law regulating the author's property rights to his/her work were turned into a constituent part of the Russian censorship laws, Article 7 of the Censorship Regulations of 1828. After fifteen years without amendments in Russia and the annexed Polish and Lithuanian lands, on 9 January 1845, this Article was supplemented with another article *On Russian and Residing in Russia Composers' Ownership Right to Their Music*, and on 21 January 1846, another one was added – *On the Right to Art Works*. Writers, composers and artists became subjects of the copyright law, and original literary, scientific and artistic works – the objects of this law. There have been a few minor, yet important amendments to this copyright law. The Statute on Punishments defining the penalties for copyright infringements was passed on 15 August 1845, but it omitted a few issues. After the copyright validity term was extended from twenty five to fifty years, on 15 April 1857, eight more clauses of the law were amended respectfully.

Authorship contracts with Lithuanian book authors and authorship payments

The copyright laws legitimized the new relationships between publishers and authors based on mutual benefit. In Russia and the annexed territories of the Polish and Lithuanian State, authorship contracts contained a provision, by which an author confirmed that he/she had delegated his/her work to the publisher, meaning they would not publish this work by themselves, nor delegate the publishing right to a third party. A publisher, in turn, guaranteed to pay the author a certain fee for the obtained publishing right, or to give him/her a certain number of copies in return.

Preserved authorship contracts with Lithuanian authors allow us to state that in the first half of the 19th century there were a few types of those contracts. In one case, an author granted a publisher a one-time publishing right, and until all copies of the edition were sold, nobody else could republish the book without the publisher's consent. The second option was the permanent sale of publishing rights. Authorship/copyright contract forms were usually printed. They contained blank spaces for names, book titles, number of copies, the author's fee, and payment terms.

Józef Zawadzki's firm, the largest publisher of Lithuanian books, was one of the first publishers in Lithuania, which habitually paid author's fees. Although the main part of the firm's remaining archive was scrutinized in order to find some data on authorship payments to book authors, not much information was found. The most informative materials were archive documents about the registration of publications sent by the firm between 1853 and 1865¹¹. Supposedly, other publishers also paid author's fees, although no documents were found to confirm this claim. According to records, in 1855, one of the most productive Lithuanian book authors, and translator of a book series of agricultural tips Simonas Daukantas received 20 copies of the publication or 1 rouble¹² (as a price for a copy was 5 copecks) as payment for his book of advice to farmers *Siejamoses paszaro-žoles* [...] (1854)¹³. During the mid- 1850-ies, Laurynas Ivinskis received 500 copies of his publication, the preparation of annual volumes of the first Lithuanian calendars¹⁴. His total fee was about 50 – 62 roubles, but after the copy's price had changed, the amount of this fee changed, too. One of the most productive authors of Lithuanian religious books Vincentas Juzumas received 60 roubles and 100 copies of the book (the price of 1 copy was 8 copecks) for the translation of Waler Wielogłowski's book of popular religious readings Szwentas Izidorius Artojas [...] (1854) and the transfer of publishing rights to J. Zawadzki's firm. Another religious Lithuanian book author Jeronimas Kiprijonas Račkauskis was paid 130 roubles and 56 copecks for the copyright of his two manuscripts of prayer books *Manuale precum at spiritualium exercitiorum sacerdotibus et alumnis Seminarii utilissimum* and *Garbie Diewa: knigiele jaunumenej pawesta* (1860)¹⁵.

11 Книга регистрации отправленных заказов книг. 1853–1865. *Lithuanian States Historical Archives*, f. 1135, ap. 7, b. 109.

12 In the beginning of the period under analysis, Lithuania had golden coins and *groszy* (the money of former Lithuanian and Polish Commonwealth) and tsarist Russia's roubles. In 1825, Tsar Nikolaj I officially banned the Lithuanian-Polish State money, and copper, silver and golden coins, called roubles and copecks, as well as paper money – *assignations* – started circulating in the country.

13 Книга регистрации отправленных заказов книг. 1853–1865. *Lithuanian States Historical Archives*, f. 1135, ap. 7, b. 109, sheet 17.

14 The ledger and client order book of Varniai bookstore by Zavadzki's firm contains the following records: 500 copies of publication sent to Mr. Ivinskis as a honorarium for his preparation of the calendar of 1855 (one calendar copy price is 10 copecks, 500 calendars – 50 rubles) (*Ibid.*, sheet 16 [v.]); 62.50 rubles for 500 copies of Samogitian calendar of 1857 sent to Mr. Ivinskis as a honorarium (*Ibid.*, sheet 18 [v.]).

15 *Ibid.*, sheet 18.

After the death of Kazimieras Pralgauskis, who prepared and published a new version of the most popular prayer book *Senas auksa altorius, arba Surinkymas iwayriun maldun yr giesmiun* [...] (1850), entitled *Naujes altorius, arba Surynkimas parsergieimu ir maldu* [...] (1859), the ownership right to the book was passed on to his successor P. Ilakevičius. P. Ilakevičius delegated the publication right to Zawadzki's firm for 100 copies of the published and bound prayer book (1 copy's price was 75 copecks)¹⁶. With the intermediation of J. K. Račkauskis, priest Feliksas Vereika was paid 20 roubles for the publishing right of a practical theology book *Griesznikas priwerstas metawoties* [...] (1860)¹⁷.

Due to changes in currencies and their purchasing power, the true value of fees is better revealed compared to food prices. Here are some examples of food prices from different statistical publications of the time. A cost of a quarter of a rye barrel (about 100 litre), for example, varied from 4 to 12 roubles, depending on the harvest of the year, wheat – from 7 to 16 roubles, barley – from 3 to 9 roubles, pea – from 4 to 10 roubles, and potatoes – from 11 to 13 roubles¹⁸.

These examples show that fees depended on the contract conditions, the scope of the publication, the foreseen demand of a publication, the author's popularity and his/her status in society. Sometimes, authors of Lithuanian books refused fees in order to arouse professional publishers' interest in their books. And publishers, even those who usually paid the authors, often considered it more convenient to compensate the authors with copies of their publications rather than cash payments.

Concluding remarks

In the early 19th century, the emerging private publishers were no longer satisfied with the system of privileges, an outdated publishing sector regulation which had served to ensure the stable operation of book publishing and printing enterprises. Instead, they began looking for state support in the form of legislation which would guarantee fair competition and remedies to protect them from the consequences of illegal business. One of the issues which needed to be solved at state level was the matter of intellectual property. Compared to other European states, the legislative framework regarding the regulation of copyrights was introduced quite late in the Russian Empire. Prompted by increasing competition among publishers, Tsar Nikolay I ratified certain rules

16 Ibid., sheets 16–19.

17 Ibid., sheet 16.

18 The examples were taken from the following information publications of the mid 19th century: Афанасьев, сост.1861. Материалы для географии и статистики России, собранные офицерами Генерального штаба. [Т. 1.]: Ковенская губерния. Санкт-Петербург, 1861; Фон-Грандидвер, сост.1848. *Военно-статистическое обозрение Российской империи*. Т. 9. Ч. 1: Ковенская губерния. Санкт-Петербург; Норденстренг, сост.1848. *Военно-статистическое обозрение Российской империи*. Т. 9. Ч. 2: Виленская губерния. Санкт-Петербург.

On the Protection of Authors, Translators and Publishers (prepared by the General Censorship Board) in the late 1820s. These provisions were subsequently added to the *Censorship Regulations* of 1828, thus effectively conforming to standard provisions of copyright law throughout continental Europe. After this copyright law was passed, a fixed legal framework was formed, enabling professional authorship and ensuring economic stability and protection against piracy. Due to the unfavourable position of Lithuanian book publishing in the first half of the 19th century, copyright legislation was more important to book publishers in general than to Lithuanian authors. The major impediments within this sector were: there was low capacity for public sponsorship, i.e. Lithuanian readers could not pay the authors, publishers, printers and book traders for their work; Polish and Russian languages were dominant in public social life; dominant Jewish and Polish businessmen were unwilling to invest in publishing Lithuanian manuscripts due to uncertain public demand, and the archaic social structure of the former Grand Duchy of Lithuania restricted secular writing. Furthermore, the occupational government implemented their policies by controlling education and publishing sectors in order to annihilate the roots of the Lithuanian and Polish readers' community and enforce the so-called russification policy.

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Sažetak

Mijenjanje odnosa autora i nakladnika: Litva tijekom prve polovice 19. stoljeća

Početak 19. stoljeća uznapredovalo poduzetničko nakladništvo nije se više zadovoljavalo zastarjelim sustavom privilegija, oblikom reguliranja nakladničke djelatnosti kojim se kroz dugi niz godina osiguravala stabilnost nakladništva i knjižarstva. Sustav je trebalo zamijeniti zakonima koji će osigurati pošteno i kompetitivno okružje i zaštiti nakladnike od ilegalnog poslovanja. Jedna od tema koju je trebalo riješiti na državnoj razini bila je i zaštita intelektualnog vlasništva. U usporedbi s drugim europskim zemljama, zakonska regulativa o autorskim pravima u Ruskom je Carstvu uvedena prilično kasno. Tek je kasnih 1820-ih uznapredovala kompetitivnost među nakladnicima potaknula cara Nikolu I da 8. siječnja 1830. odobri patent *O zaštiti autora, prevoditelja i nakladnika* koji je pripremila državno cenzorsko tijelo. Taj je propis dodan *Cenzorskoj regulativi* iz 1828. čime se uspostavljeni standardi zaštite autorskih prava slični onima koji su primjenjivani diljem kontinentalne Europe te je stvoren čvrst zakonodavni okvir koji je omogućio profesionalizaciju autorstva, ekonomsku sigurnost autora i zaštitu od piratstva. Međutim, slijedom nepovoljnih okolnosti u Litvi tijekom prve polovice 19. stoljeća zakon je bio važniji za nakladnike negoli za autore i imao je malen utjecaj na nakladništvo općenito. Razlozi za to leže u iznimno lošoj kupovnoj moći stanovništva, jer čitatelji nisu mogli izdvajati sredstva koja bi osigurala normalne aktivnosti autora, nakladnika, tiskara i knjižara; potom u dominaciji poljskog i ruskog jezika u javnom životu i dominaciji židovskih i poljskih poduzetnika u gospodarstvu koji nisu bili voljni investirati u tekstove na litavskom jeziku; potom u naslijeđenim arhaičnim društvenim strukturama iz razdoblja Velikog Litavskog Vojvodstva koje je priječilo razvoj svjetovne inteligencije i naposljetku u politikama stranih vladajućih struktura provođenim kroz obrazovni i nakladnički sektor s ciljem anuliranja litavskih i poljskih čitateljskih zajednica, a radi lakše provedbe politike rusifikacije.

KLJUČNE RIJEČI: privatno nakladništvo, autorska prava, autorske naknade, Litva