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To consolidate and amend the Laws relating to Copyright in Printed Books, Musical Compositions, Acted Dramas, and Engravings, to provide Remedies for the Violation thereof, and to extend the Term of its Duration.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

**W**HEREAS it is expedient to consolidate and render uniform the Laws relating to Copyright in Printed Books, Musical Compositions, Acted Dramas and Engravings, and to afford greater encouragement to the Authors and Inventors thereof, by extending the term of their exclusive right therein; **BE** it therefore **Enacted**, by The KING'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 *passing of this Act*, an Act passed in the eighth year of the reign of her late Majesty Queen ANNE, intituled, "An Act for the Encouragement of Learning by vesting the Copies of Printed Books in the Authors or Purchasers of such Copies during the times therein mentioned;" and also an Act passed in the eighth year of the reign of his late Majesty King GEORGE the Second, intituled, "An Act for the Encouragement of the Arts of designing, engraving and etching historical and other Prints, by vesting the Properties thereof in the Inventors and Engravers during the time therein mentioned;" and also an Act passed in the seventh year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act to amend and render more effectual an Act made in the eighth year of the reign of King GEORGE the Second, for Encouragement of the Arts of designing, engraving and etching historical and other Prints, and

Preamble.  
1.  
Repeal of former Acts, 8 Ann, c. 19.  
8 Geo. 2, c. 13 (as to Engravings)  
7 Geo. 3, c. 38 (as to Engravings).

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17 Geo. 3, c. 57  
(Engravings).

41 Geo. 3, c. 107.

54 Geo. 3, c. 156  
(extending Copyright  
in Books).

6 & 7 Will. 4, c. 59  
(for extending Copy-  
right in Prints to Ire-  
land).

2.

Interpretation  
Clause.

for vesting in and securing to Jane Hogarth, Widow, the Property in certain Prints ;” and also an Act passed in the seventeenth year of the reign of his late Majesty King GEORGE the Third, intituled, “ An Act for more effectually securing the Property of Prints to Inventors and Engravers, by enabling them to sue for and recover Penalties in certain cases ;” and also an Act passed in the forty-first year of the reign of his late Majesty King GEORGE the Third, intituled, “ An Act for the further Encouragement of Learning in the United Kingdom of Great Britain and Ireland, by securing the Copies and Copyright of Printed Books to the Authors of such Books, or their Assigns, for the time therein mentioned ;” and also in an Act passed in the fifty-fourth year of the reign of his late Majesty King GEORGE the Third, intituled, “ An Act to amend the several Acts for the Encouragement of Learning, by securing the Copies and Copyright of Printed Books to the Authors of such Books or their Assigns ;” and also an Act passed in the sixth and seventh years of the reign of His present Majesty, intituled, “ An Act to extend the Protection of Copyright in Prints and Engravings to Ireland,” he and the same are hereby Repealed.

And be it Enacted, That, in the construction of this Act, the word “ Book ” shall be construed to mean and include every volume, pamphlet, sheet of letter-press and sheet of music, map, chart or plan ; that the word “ Dramatic Piece ” shall be construed to mean and include every tragedy, comedy, play, opera, farce or other scenic or dramatic entertainment ; that the word “ Engraving ” shall be construed to mean and include every print, work in mezzotinto, chiaro oscuro, etching or drawing, whether engraved, etched, drawn or imprinted on copper, steel, wood, stone or other material ; that the word “ Copyright ” shall be construed to mean the sole and exclusive liberty of printing, engraving or otherwise making and multiplying copies within any part of the British Dominions of any subject to which it is herein applied ; and that whenever in this Act, in describing any person or party, matter or thing, the word importing the singular number or the masculine gender only is used, the same shall be understood to include and to be applied to several persons or parties as well as one person or party, and females as well as males, and several matters or things as well as one matter or thing respectively, unless there shall be something in the subject or context repugnant to such construction.

3.

Copyright in any  
Book hereafter to be  
published to inure  
to the Author for life,  
and for Sixty Years  
commencing at his  
death.

And be it Enacted, That the Copyright in any Book composed and not published, or which shall hereafter be composed and published, shall be the property of the Author thereof, his executors, administrators and assigns, for the term of the natural life of such Author, and the further term of *Sixty* Years, commencing at the time of his death.

And



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4.

In cases of subsisting Copyright in the Author, the same shall continue for his life and for Sixty Years from his death.

And if the Author be dead, and the Copyright in his Representative, such Representative shall have the same for the residue of the term of Sixty Years from the Author's death.

5.

In cases of subsisting Copyright which has been assigned, the Assignee shall enjoy it for the Author's life, or for Twenty-eight Years, and it shall afterwards revert to the Representatives of the Author for the residue of Sixty Years from his death.

Provido, that if a Book has been published in parts, the term of the Copyright shall run from the publication of the last part.

Provido for the sale of Copies printed during the interest of the Assignee.

And be it Enacted, That in all cases in which the Copyright in any Book shall be subsisting at the time of *passing this Act*, and shall belong to the Author thereof, either absolutely or subject to any license or partial assignment, such Copyright shall continue for the term  
5 of the natural life of such Author, and the further term of *Sixty Years*, commencing at the death of such Author; and that in all cases in which the Copyright in any Book shall be subsisting, but the Author thereof shall be dead at the time of *passing this Act*, and such Copyright shall, either absolutely or subject to any license or partial assign-  
10 ment thereof, belong to the personal representative, or to the legatee, widow or next of kin of such Author, or other person who may have acquired the same in the course of the administration of the estate of such Author, such Copyright shall continue for the residue of the term of *Sixty Years*, commencing at the time of the death of such  
15 Author.

And be it Enacted, That in all cases in which the Copyright in any Book shall be subsisting at the time of *passing this Act*, but the Author thereof shall, before the *passing of this Act*, have assigned his interest in such Copyright, such Copyright shall continue and belong to such  
20 assignee until the expiration of the term of *Twenty-eight Years* from the first publication of such Book, and in case the Author thereof shall then be living, for the residue of the life of such Author; and upon the expiration of the said term of *Twenty-eight Years*, if the Author shall be then dead, or if he shall then be living, at the time of his death, such  
25 Copyright shall continue and revert to the executors or administrators of such Author for the term of *Sixty Years*, commencing from the time of his death, and such reversionary interest shall be subject to the like voluntary and legal disposal and distribution as other personal property: Provided nevertheless, and be it Enacted, That where any Book con-  
30 sisting of one entire subject shall before the *passing of this Act* have been published in parts, the term of the Copyright therein and in every part thereof, both of the Author and his assigns, shall be deemed to run only from the date of the publication of the last of such parts; and that in case of the assignment of the Copyright in any such Book before the  
35 *passing of this Act*, the Copyright therein shall not revert to the representative of the Author thereof until the expiration of the term of *Twenty-eight Years* from the publication of the last of such parts or the death of such Author: Provided also, and be it Enacted, That where the Copyright in any Book shall have been assigned before the *passing*  
40 *of this Act*, nothing herein contained shall prejudice the right of the assignee thereof to sell or dispose, after his interest shall have expired, of any copies of such Book printed during the continuance of his interest in the same.

And



6.

Whenever Five Years shall elapse after the expiration of the Twenty-eight Years, or the Author's death, without publication of any Works out of print, any one may petition the Lord Chancellor, Master of the Rolls or Vice-Chancellor, for liberty to re-publish the same, and re-publish the same on such permission.

And be it Enacted, That whenever a period of *Five* Years shall elapse after the expiration of *Twenty-eight* Years from the first publication of any Book, or after the death of the Author thereof, if he be living at the end of such period, without any new edition thereof being published, and such Book shall be out of print, it shall be lawful for any person to give notice in writing to the party entitled to the Copyright of such Book, by leaving the same at the last place of publication of such Book, or at the place of abode of such proprietor, that the same is out of print, and that at the expiration of *One* Year from the giving of such notice, if such Book does not exceed *Five hundred* Pages, or *Two* Years if it exceeds *Five hundred* Pages, he will apply to the Lord High Chancellor, Master of the Rolls or Vice-Chancellor, for permission to re-print and re-publish the same ; and if at the expiration of such respective periods of *One* Year or *Two* Years, such party entitled to the Copyright of such Book shall not re-publish such Book, then it shall be lawful for the Lord High Chancellor, Master of the Rolls or Vice-Chancellor, upon the petition of the party by whom such notice was given, or his executors or administrators, to allow the petitioner to re-print and re-publish such Book for his own benefit, for such period and on such terms and conditions as to the said Lord High Chancellor, Master of the Rolls or Vice-Chancellor shall seem just.

7.

Five Copies of every Book to be delivered within a Month after demand for the use of the following Libraries : British Museum, Bodleian Library at Oxford, Public Library at Cambridge, Advocates at Edinburgh, Trinity College, Dublin.

And be it Enacted, That *Five* printed Copies of the whole of every Book, together with maps and prints belonging thereto, which from and after the *passing of this Act* shall be printed and published, on demand thereof being made in writing to or left at the place of abode of the Publisher or Publishers thereof, at any time within *Twelve* Months next after the publication thereof, under the hand of the Officer of the Company of Stationers, who shall from time to time be appointed by the said Company for the purposes of this Act, or other person thereto authorized by the persons or bodies politic and corporate, proprietors and managers of the libraries following ; videlicet, the British Museum, the Bodleian Library at Oxford, the Public Library at Cambridge, the Library of the Faculty of Advocates at Edinburgh, Trinity College at Dublin, or so many of such *Five* Copies as shall be respectively demanded on behalf of such libraries respectively, shall be delivered in the like condition as to the binding thereof as the Copies prepared for sale, by the Publisher or Publishers thereof respectively, within *One* Month after demand made thereof in writing as aforesaid to the said officer of the said Company of Stationers for the time being, which Copies the said officer shall and he is hereby required to receive at the Hall of the said Company, for the use of the library for which such demand shall be made, within such *Twelve* Months as aforesaid ; and the said Officer is hereby required, within *One* Month after any such Book shall be so delivered to him as aforesaid, to deliver the same for the use of such



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such library ; and if any Publisher, or the officer of the said Company of Stationers, shall not observe the directions of this Act, then that he and they making default in delivering or receiving any of the said *Five* printed copies as aforesaid, shall for every such default, upon conviction before any *Two* Justices of the Peace for the City of London or County of Middlesex, forfeit and pay, besides the value of the Book, in respect whereof such default shall be made, the sum of *Five* Pounds for each copy not so delivered or received : Provided always, That the copy of any Book which shall be demanded for the British Museum shall be delivered of the best paper on which such work shall be printed, and that the copies of the said work which shall be demanded for the said other libraries shall be upon the paper of which the largest number or impression of such Book shall be printed for sale : Provided also, and be it Enacted, That no such printed copy or copies shall be demanded by, or delivered to, or for the use of any of the libraries hereinbefore mentioned of the Second Edition, or of any subsequent Edition of any Book so demanded and delivered as aforesaid, unless the same shall contain any additions or alterations ; and in case any Edition after the first of any Book so demanded and delivered as aforesaid, shall contain any addition or alteration, no printed copy or copies thereof shall be demanded and delivered as aforesaid, if a printed copy of such additions or alterations only, printed in an uniform manner with the former Edition of such Book, be delivered to each of the libraries aforesaid, for whose use a copy of the former Edition shall have been demanded and delivered as aforesaid : Provided also, and be it Enacted, That if any Publisher shall be desirous of delivering the copy of such Book, as shall be demanded on behalf of any of the said libraries, at such library, it shall be lawful for him to deliver the same at such library to such librarian or other person authorized to receive the same (who is hereby required to receive and to give a receipt in writing for the same), and such delivery shall to all intents and purposes of this Act be held as equivalent to a delivery to the said officer of the Stationers' Company.

Penalty for not delivering or receiving the Copies.

Copies of second Editions, &c. not required.

Except Copies of additions or alterations.

Publishers may deliver the Copies to the Libraries instead of the Stationers' Company.

And be it Enacted, That a Book of Registry, wherein may be registered, as hereinafter enacted, the property in the Copyright of Books and Engravings, and Assignments thereof, shall at all times be kept at the Hall of the Stationers' Company by the Officer appointed by the said Company for the purposes of this Act, and shall at all convenient times be open to the inspection of any person on payment of *One* Shilling for such inspection, and that such Officer shall, whenever thereunto reasonably required, give a copy of any entry in such book, certified under his hand, to any person requiring the same, on payment to him of the sum of *Five* Shillings ; and such copies, so certified, shall be received in evidence in all Courts and in all summary proceedings on proof of the handwriting of such Officer, and shall be deemed and taken to be primâ facie proof of the Proprietorship or Assignment of

8.  
Book of Registry to be kept at Stationers' Hall.



Copyright as therein expressed ; but subject to be rebutted by other evidence.

9.  
Party making a false entry in the Book of Registry, to be guilty of a Misdemeanor.

And be it Enacted, That if any person shall wilfully make or cause to be made any false entry in the said Registry Book of the Stationers' Company, he shall be guilty of an indictable Misdemeanor, and shall be punished accordingly. 5

10.  
Entries of Copyright may be made in the Book of Registry.

And be it Enacted, That it shall be lawful for the proprietor of Copyright in any Book or Engraving heretofore published or hereafter to be published, to make entry in the Registry Book of the Stationers' Company of the title of such Book or Engraving, the date of the first publication thereof, the name and place of abode of the publisher thereof, and the name and place of abode of the proprietor of the Copyright of the said Book or Engraving, and of the interest of any person to whom such proprietor may have contracted or may desire to assign any portion of his right therein, in the form in that behalf given in the Schedule to this Act annexed ; and that it shall be lawful for every such registered proprietor of Copyright to assign such Copyright or any portion of his interest therein, or to give any license for the publication of any number of copies of such Book, by making entry in the said Book of Registry of such assignment or license, and of the name and place of abode of the assignee thereof or party so licensed, in the form given in that behalf in the said Schedule ; and such assignment and license so entered shall be good and effectual in law to all intents and purposes whatsoever without being subject to any Stamp or Duty : Provided always, That no original entry of the Proprietorship of the Copyright in or to any Book or Engraving hereafter to be published shall be made without the concurrence, expressed in writing, of the publisher by whom such Book shall be published, according to the form in that behalf given in the said Schedule. 10 15 20 25

11.  
Authors first publishing Abroad, to be entitled to Copyright in the British Dominions, on making Entry at Stationers' Hall within One Year from the first publication, and forthwith publishing here.

AND whereas doubts have been entertained respecting the right of Authors of Books first published in parts beyond the seas, which are not within the British dominions, to enjoy property in the Copyright thereof within such dominions, and it is expedient to remove the same, and to declare the law applicable thereto ; BE it Enacted, That it shall be lawful for the Author of any Book published after the passing of this Act, in parts without the British dominions, whether he be or be not a subject of His Majesty, or for the assignee of such Author claiming under an assignment, in writing signed by such Author, to cause entry to be made within One Year from the time of the first publication of such Book, in the said Registry Book, and according to the form given in that respect in the Schedule hereunto annexed, stating the name of the Author or his assignee, the date and place of the first publication of such Book, and the name and place of abode of the intended publisher 30 35 40



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publisher thereof in the British dominions, whose concurrence in such entry shall be signified by writing under his hand, in the form in that behalf given in the said Schedule; and thereupon the party making such entry, and forthwith publishing or causing to be published such

5 Book within the British dominions, shall have and enjoy the Copyright thereof within the dominions of His Majesty for the like term, commencing from its first publication, and with the like power of assigning the same by entry in the said Book of Registry, and with all such remedies as are by law given to Authors, subjects of His Majesty, first

10 publishing Books in the British dominions, and making due entry thereof in the said Book of Registry, for the infringement of Copyright in such Books: Provided always, That no person shall have Copyright in any Book first published out of the dominions of His Majesty, which shall not within *One Year* be registered as aforesaid, and be published forth-

15 with after such entry.

Provided that no Author publishing Abroad shall have Copyright here, unless he shall make such Entry and forthwith publish.

12.

And be it Enacted, That if any person shall deem himself aggrieved by any entry made in the said Registry Book of the Stationers' Company, it shall be lawful for such person to present a Petition to the Lord High Chancellor, the Master of the Rolls or the Vice-Chancellor, or to apply by motion to the Court of King's Bench, Court of

20 Common Pleas, or Court of Exchequer, for such Order for altering or expunging such entry as to the said Lord High Chancellor, Master of the Rolls, Vice-Chancellor or Court shall seem just; and thereupon the Lord High Chancellor, Vice-Chancellor Master of the Rolls

25 or Court shall make such Order, either with or without costs as to them shall seem just; and the Officer appointed for the purposes of this Act by the Stationers' Company shall expunge, alter or retain any such entry according to the requisition of such Order.

Any one aggrieved by any Entry in the Registry Book, may apply to the Lord Chancellor, Master of the Rolls, Vice-Chancellor, or Court of Common Law, to order it to be altered or expunged.

13.

And be it Enacted, That if any person shall, in any part of the British dominions, after the *passing of this Act*, print or cause to be printed any Book in which there shall be subsisting Copyright, or any Book containing any portion of a Book in which there shall be such Copyright (except as hereafter mentioned), without the consent of the proprietor of such Copyright, or shall import any such Book so having

35 been unlawfully printed from parts beyond the sea, or knowing such Book to have been so unlawfully printed or imported, shall sell, publish or expose to sale, or cause to be sold, published or exposed to sale, or shall have in his possession for sale any such Book so unlawfully printed or imported, without such consent as aforesaid, such offender

40 shall be liable to a special action on the case, at the suit of the proprietor of such Copyright, to be brought in any Court of Record in that part of the British dominions in which the offence shall be committed; and every such proprietor shall and may, in such action, recover such damages as the jury on the trial of such action, or on the execution of a

Remedy for the piracy of Books or parts of Books, by action on the case.



Proviso for Scotland.

writ of inquiry thereon, shall give or assess (not being in any case less than *Forty* Shillings), with all costs of suit reasonably incurred, to be taxed as between attorney and client: Provided always, That in Scotland such offender shall be liable to an action of damages in the Court of Session in Scotland, which shall and may be brought and prosecuted in the same manner in which any other action of damages to the like amount may be brought and prosecuted there; and in any such action, when damages shall be awarded, all reasonable costs of suit or expenses of process shall be allowed as between attorney and client: Provided always, That nothing herein contained shall be construed to extend to the publication of any extracts fairly and bonâ fide made from any Book for the purpose of criticism, observation or argument, or to any translation into another language, or abridgment fairly made of any book.

14.  
Term of the exclusive right in the representation of Dramatic Works extended to that of Authors.

AND whereas an Act was passed in the third year of the reign of His present Majesty; to amend the laws relating to Dramatic Literary Property, and it is expedient to extend the term of the sole liberty of representing Dramatic Pieces given by that Act to the full term by this Act provided for the continuance of property of Authors in the Copyright of Books; BE it therefore Enacted, That the sole liberty of representing or causing to be represented any Dramatic Piece composed and not published, or which shall hereafter be composed and published at any place of public entertainment in any part of the British dominions, shall be the property of the Author or Composer thereof, his executors, administrators and assigns, for the term of the natural life of the Author or Composer thereof, and for the further term of *Sixty* Years, commencing at the time of his death.

15.  
Where the sole liberty of representing a Dramatic Piece now belongs to the Author, it shall endure for his Life, and for *Sixty* Years from his death;

And be it Enacted, That in all cases in which the sole liberty of representing and causing to be represented any Dramatic Piece shall, at the time of *passing this Act*, belong to the Author thereof, either absolutely or subject to any license or partial assignment, such sole liberty shall continue for the term of the natural life of such Author, and for the further term of *Sixty* Years, commencing from the death of such Author; and that in all cases in which such sole liberty of representing and causing to be represented any Dramatic Pieces shall be subsisting, but the Author thereof shall be dead at the time of *passing this Act*, such sole liberty of representing and causing to be represented such Dramatic Piece shall either absolutely, or subject to any license or partial assignment thereof, belong to the personal representative, or to the legatee, widow or next of kin of such Author or other person who may have acquired the same in the course of administration of the estate of such Author, and such sole liberty of representing and causing to be represented such Dramatic Piece shall continue for the residue of the term of *Sixty* Years, commencing at the time of the death of such Author.

and if the Author is dead, his Representative shall have it for *Sixty* Years from his death.

And



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And be it Enacted, That in all cases in which the sole liberty of representing and causing to be represented any Dramatic Piece shall be subsisting at the time of *passing this Act*, but the Author thereof shall, before the *passing of this Act*, have assigned his interest in such sole liberty of representing and causing to be represented such Dramatic Piece, such right shall continue and belong to such assignee until the expiration of the term of *Twenty-eight Years* from the first representation of such Dramatic Piece, and if the Author thereof shall then be living, for the residue of the life of such Author; and upon the expiration of the said term of *Twenty-eight Years*, if the Author shall be then dead, or if he shall then be living, at the time of his death, such sole liberty of representing and causing to be represented such Dramatic Piece shall continue and revert to the executors or administrators of such Author for the term of *Sixty Years*, commencing from the time of his death; and such reversionary interest shall be subject to the like voluntary and legal disposal and distribution as other personal property.

And be it Enacted, That the party who shall at any time have, the sole liberty of representing such Dramatic Piece shall have and enjoy the remedies given and provided in the said Act of His present Majesty, passed to amend the laws relating to Dramatic Literary Property during the whole of his interest therein, as fully as if the same were re-enacted in this Act.

And be it Enacted, That no assignment of the Copyright of any Book, consisting of or containing a Dramatic Piece, shall be holden to convey to the assignee the right or liberty of representing such Dramatic Piece, unless an entry in the said Registry Book shall be made of such assignment, wherein shall be expressed the intention of the parties that such right or liberty should pass by such assignment.

And be it Enacted, That every person who at the time of the *passing of this Act* shall be entitled to Copyright in any Engraving, or to any interest in such Copyright, shall retain and enjoy such Copyright or interest in such Copyright for the term during which he would have been entitled to enjoy such Copyright or interest if this Act had not passed, any thing herein contained to the contrary notwithstanding; and that such person shall be entitled to and have the remedies given by this Act for the infringement of Copyright in Engravings during such his term of property or interest therein.

And be it Enacted, That whenever, after the *passing of this Act*, any Painter shall make or cause to be made any Engraving from any picture, whereof he is himself the painter and also the proprietor, and which has not heretofore been engraved by his license, the Copyright in every such Engraving shall belong to him, his executors, administrators and assigns for the same term as the Author of a Book published after the *passing of this Act* will be entitled to enjoy by virtue of this Act.

16.  
When the right of representing any Dramatic Piece shall have been assigned, the right shall continue in the Assignee for *Twenty-eight Years*, or for the life of the Author, and afterwards shall belong to the Representative of such Author.

17.  
The Proprietor of the right of Dramatic representation shall have all the remedies given by the Act 3 & 4 W. 4.

18.  
No assignment of Copyright of a Dramatic Piece shall convey the right of representation, unless an Entry to that effect shall be made in the Book of Registry.

19.  
Subsisting Copyright interest in Engravings to remain as before the passing of this Act.

20.  
The Engraver of a Picture, being also its Proprietor, shall have the Copyright for the same term as the Author of a Book.



21.

Engraver of a Picture, with license of the Painter, being the Proprietor, shall have the Copyright in the Engraving.

And be it Enacted, That wherever any Engraver shall obtain from the Painter of any picture not previously engraved, and whereof such Painter is also the proprietor, his license in writing to take an Engraving from such picture, and such Engraver shall thereupon, after the *passing of this Act*, take an Engraving from the same, such Engraver shall have the Copyright therein for the same term as if the said Engraving were made by such painter thereof; and any license afterwards granted to any other person to take an Engraving from the same picture shall be wholly void. 5

22.

No Engraving to be made from a Picture without the consent of the Painter and Proprietor; and if an Engraver shall have such consent, he shall have the Copyright in the Engraving.

And be it Enacted, That when the Proprietor of any picture shall not be the Painter thereof, and such picture shall not have heretofore been engraved with the consent of such proprietor, no Engraving shall be made from such picture without the consent in writing, as well of such Painter (if such Painter be living) as of such Proprietor; and that wherever any Engraver shall so have received such consent to his taking an Engraving of such picture, and he shall in pursuance thereof have made such Engraving, such Engraver shall have the Copyright in such Engraving for the same term as if such Engraving were made by the Painter thereof as aforesaid; and any license afterwards granted to any other person to take an Engraving from the same picture shall be wholly void. 10 15 20

23.

The Copyright in an Engraving of original Design shall be in the Engraver.

And be it Enacted, That where any Engraving hereafter to be made shall not have been taken from any picture or engraving, but from and after the original design of the Engraver, the Copyright therein shall belong and continue to such Engraver, his executors, administrators and assigns, for the same term as the Copyright in any Book first published after the *passing of this Act*. 25

24.

Copyright in Engraving from a Picture belonging to a Public Institution shall be in the first Engraver.

And be it Enacted, That if any person shall, after the *passing of this Act*, lawfully make or cause to be made any Engraving from any picture which shall belong to any public institution, the Copyright in such Engraving shall belong to such person for the term of Copyright hereinbefore declared and created in the case of an Engraving from a picture, with the consent of the Painter or Proprietor thereof: Provided nevertheless, That nothing herein contained shall restrain or prevent any other person from making or causing to be made a new Engraving from such picture, and from publishing and disposing of the copies of such Engraving at his free will and pleasure. 30 35

25.

Two copies of registered Engravings to be left for the British Museum, and for deposit at Stationers' Hall.

And be it Enacted, That whenever the proprietor of Copyright in any Engraving shall make entry of such Engraving in the Registry Book of the Stationers' Company, pursuant to this Act, he shall at the same time deliver to the Officer appointed by the said Company two copies of such Engraving, one of which copies shall be for the use of the British Museum, and the other shall remain in the custody of the said Company, to be by them kept for inspection and production as hereinafter mentioned; and unless such copies shall be so delivered, 40



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delivered, such Officer shall refuse to make any entry of such Engraving; and the said officer, having received such copies, shall forthwith cause one of the said copies of such Engraving to be delivered at the British Museum, and he shall forthwith inscribe on the border of the other of the said copies a reference to the page in the Book of Registry where the Engraving of which the same shall be a copy shall be entered and the date of such entry; and such copy of such Engraving shall be open to the inspection of all persons at all convenient times, on payment of *One Shilling* to such officer, and shall be produced by such officer, or by some person authorized by such officer, on the trial of any action or other proceeding relating to the Copyright in the said Engraving, on payment of the reasonable expenses of the party who shall so produce the same.

And be it Enacted, That if any person shall, in any part of the British dominions, after the *passing of this Act*, engrave, etch, work, print, copy or imitate, in whole or in part, for sale, or cause to be engraven, etched, worked, printed, copied or imitated, in whole or in part, for sale, any Engraving in which Copyright shall subsist, without the consent of the proprietor of such Copyright, or shall import, or cause to be imported, without such consent, any copy or imitation, in whole or in part, of any Engraving in which Copyright shall subsist, for sale, and which has been so unlawfully engraved, etched, worked, printed, copied or imitated, or knowing the same to have been so unlawfully engraved, etched, worked, printed, copied or imitated, shall have, without such consent, any such copy or imitation of such Engraving in his possession for sale, he shall be liable to such action at the suit of the proprietor of such copyright in such Engraving as is hereby given to the proprietor of Copyright in any Book for the infringement hereof, and shall in like manner recover his costs, reasonably incurred, to be taxed as between attorney and client.

26.  
Remedy for the piracy of Engravings, or Copies of Engravings, by action on the case.

And be it Enacted, That if it shall appear to the Lord High Chancellor, the Master of the Rolls or the Vice-Chancellor, or to the Court of King's Bench, Court of Common Pleas or Exchequer, in term time, or to any Judge of either of the said Courts in vacation, that any Book or Engraving, copied in whole or in part from any Book or Engraving wherein Copyright shall subsist, shall be published and exposed to sale, or intended to be published and exposed to sale without the consent of the registered Proprietor of such Copyright, it shall be lawful for such Lord High Chancellor, Vice-Chancellor, Master of Rolls, Court or Judge to make order of injunction upon the Printer, Engraver or Publisher, or intended Printer, Engraver or Publisher of such pirated Book or Engraving, to restrain the printing, publication and sale thereof, or either of them: Provided always, That such Lord High Chancellor, Vice-Chancellor, Master of Rolls, or Court or Judge, shall refuse such order

27.  
Power to the Lord Chancellor, Vice-Chancellor, Master of the Rolls, and Court of Law, to grant Injunction in case of piracy.



in the case of any Book which shall be in part copied, if it shall appear that such part shall only be copied for the purpose of criticism, argument or observation thereon.

28.

Books or Engravings pirated shall become the property of the Proprietor of the Copyright, and may be recovered by action or seized by Warrant of Two Justices.

And be it Enacted, That all copies of any Book or Engraving wherein there shall be Copyright, and of which entry shall have been made in the said Registry Book, and which shall have been unlawfully printed or imported without the consent of the registered Proprietor of such Copyright, shall be deemed to be the property of the party registered as the immediate Proprietor of such Copyright, and such registered Proprietor shall, after demand thereof made in writing, be entitled to sue for and recover the same, or damages for the detention thereof, in an action of Detinue from any party who shall detain the same, or to sue for and recover damages for the conversion thereof in an action of Trover; and it shall be lawful for any Two Justices of the Peace for the city, county, division or place wherein such copies of any Book or Engraving shall be found, upon the information and complaint of such registered Proprietor of the Copyright, to summon before them the party in whose possession such copies shall be found, and on proof of the entry of such Book or Engraving in the said Book of Registry, and of the printing or engraving thereof, without the consent of the registered Proprietor and of demand in writing made of the party in whose possession such copies shall be, to issue their warrant for the seizure of such copies and for the delivery thereof to such complainant: Provided always, That such warrant shall not be holden conclusive as against the possessor of such copies of his right to the same, but that he may question the right to issue such warrant in any action of Trespass to be brought against the party on whose complaint such warrant shall be granted: Provided always, That no action shall be brought against any Justice, Constable or officer acting bonâ fide in the execution of the powers of this Act.

29.

No Proprietor of Copyright commencing after the Act, shall sue or proceed for any infringement which shall take place before entry in the Book of Registry.

And be it Enacted, That no Proprietor of Copyright in any Book or Engraving which shall be first published after the *passing of this Act*, shall have or maintain any action or suit at law or in equity, or any summary proceeding for or in respect of any infringement of such Copyright, unless he shall, before such alleged infringement, have caused an entry to be made in the Book of Registry of the Stationers' Company of such Book or Engraving pursuant to this Act: Provided always, That the omission to make such entry shall not affect the Copyright in any Book or Engraving, but only the right to sue or proceed in respect of the infringement thereof: Provided also, That nothing herein contained shall prejudice the remedies which the Proprietor of the sole liberty of representing any Dramatic Piece shall have, by virtue of the Act of His present Majesty, to amend the laws relating to Dramatic Literary Property, although no entry shall be made of the same in the Book of Registry aforesaid.

Proviso for Dramatic Pieces.

And



AND whereas a doubt has arisen whether a Spiritual Person having or holding any dignity, prebend, canonry, benefice, stipendiary, curacy or lectureship, and being the Author of any Book, may lawfully sell and dispose of the Copyright thereof, or any Copies thereof, and it is expedient to remove such doubt; BE it Enacted, That every Spiritual Person, being the Author of any Book, may lawfully sell and dispose of the Copyright of the same, or of any Copies thereof, for his own profit, any law or usage to the contrary notwithstanding.

30.  
Clergymen may lawfully dispose of Copyright or copies of Books of which they are the Authors

And be it Enacted, That all Copyright shall be deemed personal property, and shall be transmissible by bequest, or, in case of intestacy, shall be subject to the same law of distribution as other personal property.

31.  
Copyright shall be personalty.

Provided always, and be it Enacted, That nothing in this Act contained shall extend or be construed to extend to affect or alter the rights of the two Universities of Oxford and Cambridge, the Colleges or Houses of Learning within the same; the four Universities in Scotland; the College of the Holy Trinity in Dublin, and the several Colleges of Eton, Westminster and Winchester, in any Copyrights heretofore and now vested or hereafter to be vested in such Universities and Colleges respectively, any thing to the contrary herein contained notwithstanding.

32.  
Saving the rights of the Universities and the Colleges of Eton, Westminster and Winchester.

And be it Enacted, That this Act shall extend to the United Kingdom of Great Britain and Ireland, and to every part of the British Dominions.

33.  
Act to extend to all parts of the British Dominions.

And be it Enacted, That this Act may be amended, altered or repealed by any Act or Acts to be passed in this present Session of Parliament.

34.  
Act may be amended or repealed during the present Session.



**SCHEDULE TO WHICH THE PRECEDING ACT REFERS.**

—No. 1.—

**ORIGINAL ENTRY of PROPRIETORSHIP of COPYRIGHT of a BOOK or ENGRAVING.**

Time of making the Entry.	Title of Book or Engraving.	Name of the Publisher, and Place of Publication.	Name and Place of Abode of the Proprietor of the Copyright.	Date of First Publication.	Statement of any partial Interest to which the right of the Proprietor is subject, or License by him granted.
1st Sept. 1837.	-- [Here set out the title of the Book or Engraving.]	William Smith, of Piccadilly, London.	Henry Williams, of Edinburgh, Esquire.	1st September 1837.	-- Henry Williams, the Proprietor of the Copyright, has assigned the same to William Smith, of Piccadilly, London, Bookseller and Publisher, for the term of <i>Seven Years</i> —[or, if a License be granted only for an Edition]—Henry Williams, the proprietor of the Copyright, has granted to William Smith, of Piccadilly, London, Publisher, his License to publish an Edition of 2,000 Copies of the said Book [or, Engraving].

( 14 )

—No. 2:—

**FORM of CONCURRENCE of the PUBLISHER of a BOOK (whether first published in the British Dominions or Abroad,) or ENGRAVING, first entered to be signed by him, and delivered to the Office of the Stationers' Company previous to such Entry.**

I, A. B., of [name of Publisher, and place in which he carries on business], Bookseller and Publisher [or, Print-seller], do hereby certify, That I am [or, are about to be] the Publisher of a Book [or, Engraving] entitled [here set out the title of the Book or Engraving], and that I concur in the entry to be made thereof in the Registry Book of the Stationers' Company, according to the particulars hereunder written. Dated this day of 18 A. B. [Here set forth the proposed Form of the Entry.]



## — No. 3. —

## FORM of ENTRY of ASSIGNMENT of COPYRIGHT in any BOOK or ENGRAVING previously registered.

Date of Entry.	Title of Book or Engraving.	Assigner of the Copyright.	Assignee of Copyright.	Extent of Assignment.
1st Sept. 1837 -	-- [Set out the title of the Book or Engraving, and refer to the page of the Registry Book in which the original entry of the Copyright thereof is made].	-- Henry Williams, of Edinburgh, Esquire.	-- George Jones, of Cheapside, London, Bookseller and Publisher.	-- Henry Williams, the registered Proprietor of the Copyright in [setting out the title of the Book or Engraving] hath assigned all his Copyright and interest [or, in case of a partial assignment, the sole right of printing and publishing the same for <i>Seven Years</i> ] in [setting out the title of the Book] to George Jones [or, in case of license to publish an Edition, Henry Williams licensed George Jones, of Cheapside, London, Bookseller and Publisher, to print, publish and sell an edition of 2,000 copies of the said Book [or, Engraving].

## — No. 4. —

## FORM of ENTRY of a BOOK published in FOREIGN PARTS, to secure the COPYRIGHT in the BRITISH DOMINIONS.

Date of Entry.	Title of Book, and Date and Place of Publication.	Name of Author or Assignee of Copyright making the Entry.	Name and Place of Abode of the intended Publisher.
1st January 1838	[Set out the title of the Book.] Boston, United States of America. 1st September 1837.	-- James Evans, of Boston, in the United States of America, Esquire, Author [or, William Smith, of Piccadilly, London, the assignee of the Copyright in the British Dominions].	-- William Smith, of Piccadilly, London.



Copyright.

A

**B I L L**

To consolidate and amend the Laws relating to  
Copyright in Printed Books, Musical Com-  
positions, Acted Dramas and Engravings,  
to provide Remedies for the Violation  
thereof, and to extend the Term of its  
Duration.

*(Prepared and brought in by  
Mr. Serjeant Talfourd, Mr. Chancellor of the  
Exchequer, Lord Viscount Mahon, and Sir  
Robert Harry Inglis.)*

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*Ordered, by The House of Commons, to be Printed,  
6 June 1837.*

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