

APPENDIX (H).



FORMS OF INJUNCTIONS.

LITERARY COPYRIGHT.

No. 1.—Restraining publication of Poems.

That the defendant, &c., be restrained from printing, reprinting, publishing, or exposing to sale any copy or edition of a certain book or poem, entitled 'Paradise Lost,' composed by John Milton, or of the life of the said John Milton, or of the notes of various authors upon the said poem, compiled by Dr. Thomas Newton, until the hearing of this cause; and it is further ordered that the plaintiffs do speed their cause.—Eldon, L.C., in *Tonson v. Walker*, 3 Swan. 681.

No. 2.—Topographical Dictionary.

Let the defendant, his agents, servants, and workmen be restrained from further printing, publishing, selling, or otherwise disposing of any copy or copies of a book called 'A New and Comprehensive Gazetteer' containing any articles or article, passages or passage, copied, taken, or colourably altered from a book called 'The Topographical Dictionary of England,' published by the plaintiffs.—*Lewis v. Fullarton*, 2 Beav. 6, 14.

No. 3.—Order restraining publication of Books, awarding Damages, and directing an Account.

That the defendants be restrained from printing, publishing, and selling any copies or copy of a third or any subsequent edition of the plaintiff's book called 'The Practice of Photography.' It was ordered that the defendants deliver to the plaintiff all copies of the third edition of the plaintiff's book in the pleadings mentioned, the defendants offering to pay 25*l.* to the plaintiff in full of all claims for profit upon the sale of the said edition. If the plaintiff accept such offer, it was ordered that the defendants pay the same accordingly; but if the plaintiff does not accept such offer, then it was ordered that the usual accounts be taken of the gains and profits received by the defendants from the third edition of the plaintiff's book.—Wood, V.C., in *Delfe v. Delamotte*, 3 K. & J., 581.

No. 4.—Use of Name—Injury to Employer's Property.

That the defendant be restrained from publishing, issuing, or circulating any such advertisements, circulars, or letters as aforesaid, containing any

statement or representation that the defendant is interested or concerned in any annual, book, or publication, other than 'Beeton's Christmas Annual' so published from year to year by the plaintiffs, or that the defendant's connection with the plaintiff's firm is terminated, or that the use of the defendant's name by the plaintiffs for the purposes of their said 'Beeton's Christmas Annual' is improper or unauthorized.—Malins, V.C., in *Ward v. Beeton*, L. R. 19 Eq. 211.

No. 5.—Publication of a Magazine as a continuation of Plaintiff's Magazine.

That the defendants &c., be restrained from publishing or exposing to sale any copy or copies of the defendant's said work, and from printing, publishing, or exposing to sale any other work or publication as or being a continuation of the plaintiff's work, or of the defendant's work which had been so published as such continuation as aforesaid, and from printing all or any part or parts of the plaintiff's said work; and that the injunction shall be continued as to any letters, &c., admitted by the answer to have been received from correspondents by the defendant, while publishing for the plaintiff.—Lord Eldon, C., in *Hogg v. Kirby*, 8 Ves. 215.

No. 6.—Publication of Magazine in Breach of Contract.

That the defendant, his servants, agents, and workmen be restrained from carrying on, or conducting the 'Temple Bar Magazine,' in the plaintiff's bill mentioned, but the order to be without prejudice to the publication of the said magazine until the hearing of the cause, so as that the name of the defendant Bentley do not appear on the title page or any other part of the said publication or in any advertisements of the said publication, and this order to be without prejudice to the right (if any) of the plaintiff to damages or profits in respect to any publication of the said work.—Wood, V.C., in *Ainsworth v. Bentley*, 14 W. R. 632.

No. 7.—Name and Title-page of Song.

That the defendants, &c., be restrained from printing, publishing, selling, exposing for sale, or otherwise disposing of the said song 'Minnie Dale,' or any copy or copies thereof, or any other publication containing a colourable imitation of the name, title, or title page of the plaintiff's said song.—Wood, V.C., in *Chappell v. Sheard*, 2 K. & J. 122.

TITLES.

No. 8.—Name of Newspaper.

That the defendants, their servants, workmen, and agents be restrained from printing, publishing or continuing to print or publish any newspaper or other periodical paper with or under the name or style of the Penny 'Bell's Life and Sporting News;' or with or under any name or style of which the name, style, or words of 'Bell's Life' shall form a part, or in any way occur; and from using the said name, style, or title of 'Bell's Life' by way of name, style, or title to any newspaper or periodical without the licence or consent of the plaintiff.—Stuart, V.C., in *Clement v. Maddick*, 1 Giff. 101.

No. 9.—Name of Newspaper—Soliciting Customers.

That the defendant, &c., be restrained from printing, or publishing, or exposing for sale, or procuring to be printed or sold, the newspaper publication called the 'True Britannia,' or any other newspaper or publication by way of a continuation or imitation of 'The Britannia,' and from soliciting custom in the name of the plaintiff's trade and business for 'The Britannia' newspaper, and from pledging the plaintiff's credit, and from excluding the plaintiff from the accounts and particulars of the plaintiff's trade and business, and from concealing from the plaintiff the names of the subscribers to, and advertisers in, the plaintiff's newspaper 'The Britannia,' or any of them, or the amounts of their respective debts, or any particulars relating thereto.—Stuart, V.C., in *Prowett v. Mortimer*, 2 Jur. (N.S.) 414.

No. 10.—Name of Newspaper.—Injury to Periodical.

That the defendant, &c., be restrained from printing, publishing, or selling any newspaper or other periodical under the name of 'The Daily London Journal,' or under any other name or style of which the words 'London Journal' shall form part, and from doing or committing any act or default that may tend to lessen or diminish the sale or circulation of the plaintiff's periodical called, 'The London Journal.'—Wood, V.C., in *Ingram v. Stiff*, 5 Jur. (N.S.) 947.

DRAMATIC AND MUSICAL COPYRIGHT.

No. 11.—As to an Operatic Magazine.

Let an injunction be awarded against the defendant to restrain him, his servants, agents, and workmen until, &c., from selling or otherwise disposing of the portion of No. 111 in the 'Pianista and Italian Opera Promenade Concert Magazine of Pianoforte and Vocal Music,' containing three pianoforte solos from Mendelssohn's original composition of music to Shakespeare's 'Midsummer Night's Dream,' called respectively the 'Scherzo,' the 'Notturmo,' and the 'Wedding March,' and also from reprinting or multiplying any further copies of the said No. 111 of the 'Pianista' which shall contain the said pieces, or any of them, and also from printing, publishing, or selling any portion of the said work or composition of music to Shakespeare's 'Midsummer Night's Dream,' composed and arranged by Felix Mendelssohn-Bartholdy, except the overture thereof.—*Buxton v. James*, 5 De G. & Sm. 80.

ENGRAVINGS AND ETCHINGS.

No. 12.—Collection of Etchings.

That the defendant, W. S., his servants, agents, and workmen, be restrained from exhibiting the gallery or collection of etchings in the bill mentioned, or any of such etchings, and from making or permitting to be made any engravings or copies of the same or any of them: and from publishing

the same or any of them, or parting with or disposing of the same or any of them; and from selling or in any manner publishing, and from printing the descriptive catalogue in the plaintiff's bill mentioned.—Knight Bruce, V.C., in *Prince Albert v. Strange*, 2 De G. & Sm. 656.

No. 13.—Etchings improperly obtained and published; Catalogues improperly published—Decree—Delivery up.

By the decree it was declared that the plaintiff was entitled to have delivered to him the impressions (by the answer of defendant Judge admitted to be in his possession) of such of the several etchings in the pleadings mentioned, as in the catalogue, and in the pleadings were stated to have been etched by the plaintiff; that is to say [they were described by reference to the numbers in the catalogue]; and it was ordered that Judge should, within four days after the service of the decree, deliver up the impressions above specified on oath, and leave them with the Clerk of Records and Writs, at the Record Office. And it was ordered that the defendant Strange should, within four days after service of the decree, deliver to the Clerk of Records and Writs, at the said office, the twenty-three copies of the catalogue, being the same as were mentioned in the decree in the other suit of even date. And the decree contained similar directions as to six copies of the catalogue admitted by Judge to be in his possession, and the Clerk of Records and Writs was ordered to destroy these copies of the catalogue, giving notice to the solicitors of the several parties of the time and place at which he intended to do so. And it was ordered that the defendants, their servants, &c., should be restrained from making, or permitting to be made, any engraving or copy of such etchings, or any of them; and from publishing the same; and from parting with, or disposing of them, or any of them, except in obedience to the decree: and from selling or in any manner publishing the catalogue or any work being or purporting to be a catalogue of the etchings made by the plaintiff. Provision made for costs. Liberty to apply reserved.—Knight Bruce, V.C., in *Prince Albert v. Strange*, 2 De G. & Sm. 717.

No. 14.—Illustrated Book.

That the defendants, their agents, and servants be restrained from printing or publishing or selling or exposing for sale or hire, or otherwise disposing of, or causing, procuring, or permitting to be printed, published, sold, exposed for sale or hire, or otherwise disposed of, any further or other copies or copy of a book called 'The Comical History and Tragical End of Reynard the Fox,' or any other book, work, publication, or thing, containing any passage, article, print, wood-cut, engraving, illustration, matter, or thing taken or copied, or colourably altered from any passage, article, print, wood-cut, engraving, matter, or thing contained in a book of the plaintiff's, entitled 'The Comical Creatures from Wurtemberg, including the story of Reynard the Fox, with twenty illustrations drawn from the stuffed animals contributed by Hermann Ploucquet, of Stuttgart, to the Great Exhibition,' wherein copyright subsisted or belonged to the plaintiff.—Parker, V.C., in *Bogue v. Houlston*, 16 Jur. 372.

DESIGNS.

No. 15.—As to Catalogue of Designs.

Let a perpetual injunction be awarded to restrain the defendant, his servants, agents, and printers, from publishing, printing, selling, delivering, or otherwise disposing of the sheet of monumental designs in the bill mentioned, or any other sheet in the compilation of which the plaintiff's book of monumental designs has been used, and from copying or pirating any part of the said book.—*Grace v. Newman*, L. R. 19 Eq. 623.

No. 16.—As to Woven Fabrics, and delivery up of Articles.

That the injunctions awarded on the day of , against the defendants, restraining them, and each of them, their workmen, servants, and agents, from selling or disposing of any of the articles of manufacture to which the plaintiff's design, in the plaintiff's bill mentioned, or a fraudulent imitation thereof, had been applied, as in the said bill mentioned, and from applying the plaintiff's said design or any fraudulent imitation thereof, to any woven fabrics or articles of manufacture, be continued until over the day of , and that the defendants should forthwith deliver up to the plaintiffs, for the purpose of being destroyed, the drawing or drawings, point paper, and the several cards used in applying the design in the plaintiff's bill mentioned; and also the articles manufactured by the defendants to which the said plaintiff's design had been applied, the same to be verified by affidavit, and that such costs, when taxed, be paid by the defendants: and on payment thereof, that all further proceedings in this suit should be stayed, unless the defendants committed any breach of the injunction already awarded; and any of the parties were to be at liberty to apply to the Court, as there should be occasion.—*Knight Bruce, V.C.*, in *MacRae v. Holdsworth*, 2 De G. & Sm. 499.

Places where various Forms of other Injunctions may be found.

17. Injunctions staying publishing of newspaper 'The Real John Bull.'—*Edmonds v. Benbow*, cited Seton on Decrees.

18. Injunctions as to partial infringement.—*Bainbridge v. Briggs*, cited Seton.

19. Injunctions as to Selections from Poems, 'Book of the Poets.'—*Campbell v. Scott*, 11 Sim. 31; *Pemberton's Judgments*, 287.

20. Injunction as to Handbook.—*Colburn v. Simms*, 2 Harc, 543; *Pemberton's Judgments*, 289.

21. Injunctions as to Directories.—*Kelly v. Morris*, Wood, V.C., L. R. Eq. 697; *Pemberton's Judgments*, 286.

22. Injunctions as to portions of work. 'The Guardian Angel.'—*Low v. Ward*, L. R. 6 Eq. 415; *Pemberton's Judgments*, 287.

23. Injunctions against piracy of book, and order as to damages, "The Pedigree of the English People."—*Pike v. Nicholas*, L. R. 5 Ch. 251; *Pemberton's Judgments*, 288.

24. Injunction as to Directory—not to extend to advertisements, ‘The Merchants’ and Manufacturers’ Pocket Directory of London, 1868.’ ‘The Business Directory of London.’—*Morris v. Ashbee*, L. R. 7 Eq. 34; *Pemberton’s Judgments*, 286.

25. Injunctions against printing a dramatised novel. ‘Lady Audley’s Secret,’ ‘Aurora Floyd.’—*Tinsley v. Lacy*, 32 L.J. (Ch.) 535; *Pemberton’s Judgments*, 292.

26. Injunction against piracy of maps, and inquiry as to damages, ‘Bird’s-eye View or Plan of Paris and its Fortifications.’—*Stannard v. Harrison*. Bacon, V.C. *Pemberton’s Judgments*, 288.

27. Injunction under Designs Act as to Mantilla Shawls.—*Norton v. Nicholas*, 4 K. & J. 475; *Pemberton’s Judgments*, 297.

28. Judgments making injunction perpetual as to Copyright.—*Macklin v. Richardson*, Ambl. 694; Seton 944.

APPENDIX (I).

—♦—

JUDGMENT OF THE LORDS JUSTICES IN THE LATE CASE OF
Dicks v. Brooks, 15 CH. DIV. 22, 34.

JAMES, L.J. :—

The question before us resolves itself into this--whether this pattern for working in Berlin wool is a piratical copy of the print of which the defendants are the proprietors. It appears to me that the Vice-Chancellor fell into (if I may venture so to call it) the error of supposing that the case was within the Act, 8 Geo. 2. c. 13, which gave a protection, not to a mere engraver, but to a man of genius who by his industry, pains, and expense, invented a design, "or engraved, etched, or worked, or from his own work and invention caused to be designed and engraved, etched, or worked," and so on, "any historical print."

Those words were intended to give protection for the genius exhibited in the invention of the design, and the protection was commensurate with the invention and design. That Act was afterwards extended to embrace the case of persons engraving from something which was not the design of the engraver. Now it appears to me that the protection given by the subsequent Acts to the mere engraver was intended to be, and was commensurate with that which the engraver did, that the engraver did not acquire against anybody in the world any right to that which was the work of the original painter, did not acquire any right to the design, did not acquire any right to the grouping or composition, because that was not his work but the work of the original painter. What, as it seems to me, the Act gave him and intended to give him, was protection for that which was his own meritorious work. The art of the engraver is often of the very highest character, as in the print before me. It is difficult to conceive any skill or art much higher than that which has by a wonderful combination of lines and touches reproduced the very texture and softness of the hair, the very texture and softness of the dress, and the expression of love and admiration in the eyes of the lady looking up at her lover. That art or skill was the thing which, as I believe, was intended to be protected by the Acts of Parliament, and what we have to

consider is, whether the wool pattern before us (the maker of which must have been aided in the production of it by having before him the defendants' print, or some kind of copy of it, because the wool pattern follows the print in some particulars in which the print differs from the picture) is a copy of the engraver's work? It appears to me that without going into any etymological definition of the word "copy," and using the word in the ordinary sense of mankind as applied to the subject-matter, the question is, Is this a copy, is it a piracy, is it a piratical imitation of the engraving—of that which was the engraver's meritorious work in the print? I am of opinion, as a matter of fact, that the wool pattern is not a copy, is not a piratical imitation, with colourable variations of the defendants' engraving. The alleged copy is not a thing intended as a print in the ordinary sense of the word. It was intended to be printed, and was printed, as a pattern for Berlin wool, not put forward in any way fraudulently or as a sham, but really in truth intended solely for that purpose. Now, I am of opinion that, whatever may be the similarities between the one and the other, the attempt not to reproduce the print, but to produce something which has some distant resemblance to the print, not by anything in the nature of the engraver's work, but by what I may call a mosaic of coloured parallelograms, is not in any sense of the word a piratical imitation of the print. Nobody would ever take it to be the print, nobody would ever buy it instead of the print, nobody would ever suppose that it was, to use the language of the first Act, a base copy of the print. It is a work of a different class, intended for a different purpose, and, in my opinion, no more calculated to injure the print *quâ* print, or the reputation of the engraver, or the commercial value of the engraving in the hands of the proprietor, than if the same group were reproduced from the same engraving by waxwork at Madame Tussaud's, or in a plaster of Paris cast, or in a painting on porcelain. I cannot conceive that such a reproduction of the subject in tapestry, or Berlin wool, or upon china, or in earthenware, is within the meaning of the Act of Parliament. Whether dealing with it as a matter of law, or dealing with it, as we must do, as a matter of fact, I am satisfied that the appellants' pattern is not a copy or piracy of any part of that which constituted the real merit and labour of the engraver of the defendants' print.

BAGGALLAY, L.J. :—

I also am of opinion that the Berlin wool pattern is not a copy of the defendants' print within the meaning of the statutes. Reliance has been placed upon the very general words of the 17 Geo. 3, c. 57, which refer to engraving, etching, or working, or

causing or procuring to be engraved, etched or worked in mezzotinto, or chiaroscuro, or otherwise or in any other manner copying in the whole or in part any print. Now, it is perfectly clear that those words must receive some limitation, for they cannot have been intended to apply to a lady copying a print or a part of a print upon a china plate, or to a person who for his own amusement makes an etching, drawing, or water-colour sketch from an engraving. If, then, we are to limit the meaning of the word "copy," how are we to judge of the extent to which it is to be limited? I think we can only do that by having regard to the preambles to the several statutes. We find an important preamble in the first Act, and then in the second and third of the Acts it is stated that the former Act has not been sufficient for effectuating the desired purpose. Now I think that in *Gambart v. Ball* (a) the object of the Acts was well pointed out as being of twofold character, first, the protection of the reputation of the engraver; and, secondly, his protection against any invasion of his commercial property in the print. It seems to me idle to suggest that in this case the reputation of the engraver from whose hands this beautiful engraving proceeded will suffer from the publication of a print intended for the purpose of ladies or others working in Berlin wool from it, and as regards his commercial property it appears to me almost as absurd to imagine that the commercial position of the owner of the print could suffer by the sale or the publication of this article.

I do not mean to say that a representation of this print in chromo-lithography, executed with that high skill and art with which works in chromo-lithography are now executed, could not be treated as a copy of the print prohibited by the statute. I do not say that it would be so, but I consider it a fairly arguable question. Here, however, though we have, no doubt, a young man and a young woman standing up in the centre of the picture in the same attitudes as in the print, in other respects the two designs have hardly anything in common. Again, this pattern cannot be called a work of art. The wool-work eventually to be made might probably be a work of art, but as for this pattern you might almost as well call a representation of the king and queen on a gingerbread stall at a fair a work of art.

I am of opinion, therefore, that this pattern cannot be looked upon as a copy of the engraving within the intent and meaning of the Acts.

BRAMWELL, L.J. :—

I am of the same opinion and should add nothing were it not that I do not like differing from the learned Judge in the Court

(a) 14 C. B. (N.S.) 306.

below without showing that I have done my best to form an opinion upon the matter.

I should have thought it tolerably plain, as has been said by the Lord Justice James, that the object of these statutes was to protect the engraver, and that what the Legislature contemplated was that his work as an engraver should not be pirated, that there should not be another plate made—another engraving, the engraver of which availed himself of what had been done by his predecessor. That this is the true construction of the Act of Parliament, is, I think, shewn by the expressions that are used, for instance, that the pirated plate is to be destroyed; and I am very much inclined to think that the omission of the words “or otherwise copy” from the 7 Geo. 3, c. 38, was the result of an opinion on the part of its framer that that was the meaning of the first Act; and though the words “or otherwise copy” occur in the first Act and in the third, I think the intention was only to prohibit a piratical reproduction of the original engraving. I do not at all mean to say that the words “or otherwise copy” are to have no meaning; I think they were put in with a view to the possibility that, by some means other than engraving, a copy might be made, the maker of which would be taking the benefit of the engraver’s work, and produce a sort of equivalent or substitute for the engraving of what I may call an engraving character. I think that a strong argument in support of this view is furnished by the following considerations. It has been held that these statutes were partly for the protection of the fame of the artist. Now, how can his fame be injured, except by the circulation of something which might be taken to be his work? Is it conceivable that anybody could confound this pattern with an artistic engraving, and say, “Oh! that must be the engraver’s production!” To my mind, that consideration furnishes a strong argument that what the Legislature had in view was a new engraving, or something which could be taken as an engraving or an equivalent to it.

Now, what are the facts of this particular case? There is a picture of which the defendants are not the owners. It is conceded that anybody might have gone to that picture and made a fresh engraving of it upon a fresh plate unless there had been some bargain which precluded his having a right to do so. It is conceded *à multo fortiori* that the persons who prepared this pattern might have gone to the picture and taken from it the materials for producing that pattern. A further fact that I may mention is this: I have very little doubt, and I should find it as a fact if necessary, that this pattern was either mediately or immediately got from the engraving, since it follows the engraving in particulars in which the engraving differs from the original picture.

But if the pattern might with these trifling variations have been taken from the original picture without infringing the engraving, how can it be possible to say that because the man who prepared it instead of going to the picture thought it more convenient to take this engraving, or possibly a smaller one, or possibly the etching (for any one of them would have served his purpose, because all he wanted was the outline), the case is brought within the Act? I do not say that if this were an ordinary engraving with no picture, a lithograph taken from it would not be a copy. I think that a photograph taken from it would be a copy. I do not say that if this were an original engraving with no picture and a copy were made of it and afterwards coloured, there might not be some ground for saying that there was a piracy of the art and skill of the engraver. I should have very great misgiving about it, because I doubt whether the statutes were not intended to protect the artist's skill as an engraver only and not as a draftsman. I give no opinion on the point, and I only mention it for the purpose of shewing that this particular case is not that which I have supposed, but is a case in which the man might have done everything that he has done by going to the picture instead of using the more convenient, more accessible, and more manageable thing, the engraving. I cannot but think, therefore, with great submission to the learned Judge in the Court below, that this is not a copy within the statutes of Mr. Barlow's most beautiful engraving.

APPENDIX (K).

INTERNATIONAL CONVENTIONS.

CONVENTION BETWEEN HER MAJESTY AND THE KING OF PRUSSIA
FOR THE ESTABLISHMENT OF INTERNATIONAL COPYRIGHT.
Signed at Berlin, May 13, 1846.

Art. I. The authors of books, dramatic works, or musical compositions, and the inventors, designers, or engravers of prints, and articles of sculpture; and the authors, inventors, designers, or engravers of any other works whatsoever of literature and the fine arts, in which the laws of Great Britain and of Prussia do now or may hereafter give their respective subjects the privilege of Copyright, shall, with regard to any such works or articles first published in either of the two States, enjoy in the other the same privilege of Copyright as would by law be enjoyed by the author, inventor, designer, or engraver of a similar work, if first published in such other State; together with the same legal remedies and protection against piracy and unauthorised republication.

The lawful representatives or assigns of authors, inventors, designers, or engravers, shall, in all these respects, be treated on the same footing as the authors, inventors, designers, or engravers themselves.

Art. II. No person shall, in either country, be entitled to the protection stipulated by the preceding Article, unless the work in respect of which Copyright is claimed shall have been registered by the original producer, or by his lawful representatives or assigns, in the manner following:—

First. If the work be one that has first appeared in the dominions of His Majesty the King of Prussia, it must have been registered in the register-book of the Company of Stationers in London.

Secondly. If the work be one that has first appeared in the dominions of Her Britannic Majesty, it must have been registered in the catalogue to be kept for that purpose at the office of His Prussian Majesty's Minister for Ecclesiastical, Educational, and Medical Affairs.

Nor shall any person be entitled to such protection as aforesaid, unless the laws and regulations of the respective States in regard to the work in respect of which it may be claimed shall have been duly complied with; nor, in cases where there are several copies of the work, unless one copy of the best edition, or in the best state, shall have been delivered gratuitously at the place appointed by law for that purpose in the respective countries.

A certified copy of the entry in the said register-book of the Company of Stationers in London shall be valid in the British dominions, as proof of the exclusive right of republication, until a better right shall have been established by any other party before a court of justice:—and the certificate given under the laws of Prussia, of the registration of any work in that country, shall be valid for the same purpose in the Prussian dominions.

Art. III. The authors of dramatic and musical works which shall have been first publicly represented or performed in either of the two countries, as well as the lawful representatives or assigns of such authors, shall likewise be protected in regard to the public representation or performance of their works in the other country, to the full extent in which native subjects would be protected in respect of dramatic and musical works first represented or performed in such country; provided they shall previously have duly registered their copyright in the offices mentioned in the preceding Article, in conformity with the laws of the respective States.

Art. IV. In lieu of the rates of duty which may at any time, during the continuance of this convention, be payable upon the importation into the United Kingdom of foreign books, prints, and drawings, there shall be charged upon the importation of books, prints, or drawings, published within the dominions of Prussia, and legally importable into the United Kingdom, only the rates of duty specified in the table hereto annexed; that is to say—

Duties on books, viz.—	£	s.	d.
Works originally produced in the United Kingdom and republished in Prussia the cwt.	2	10	0
Works not originally produced in the United Kingdom the cwt.	0	15	0
Prints or drawings:—			
—— plain or coloured, single each	0	0	0½
—— bound or sewed the dozen	0	0	1½

It is understood that all works, of which any part was originally produced in the United Kingdom, will be considered as “works originally produced in the United Kingdom, and republished in Prussia,” and will be subject to the duty of fifty shillings per cwt.,

although the same may contain also original matter produced elsewhere; unless such original matter shall be at least equal in bulk to the part of the work originally produced in the United Kingdom, in which case the work will be subject only to the duty of fifteen shillings per cwt.

Art. V. It is agreed that stamps shall be provided according to a pattern to be made known to the Custom-house officers of the United Kingdom, and that the municipal or other authorities of the several towns in Prussia shall affix such stamps to all books intended for exportation to the United Kingdom. And no books shall, for the purposes of this convention, so far as the same relates to the rates of duty at which such books are to be entered, be deemed to have been published in Prussia, except such as appear by their title-page to have been published at some town or place within the dominions of Prussia, and which have been duly stamped by the proper municipal or other authority of any such town or place.

Art. VI. Nothing in this convention shall be construed to affect the right of either of the two high contracting parties to prohibit the importation into its own dominions, of such books as, by its internal law, or under its treaties with other States, are declared to be piracies, or infringements of Copyright.

Art. VII. In case either of the two high contracting parties shall conclude a treaty of International Copyright with any third power, a stipulation similar to that contained in the preceding Article shall be inserted in such treaty.

Art. VIII. Those German States which, together with Prussia, compose the Customs and Commercial Union, or which may hereafter join the said Union, shall have the right of acceding to the present convention; and books, prints, and drawings, published in any State so becoming a party to this convention, and exported from any other State also being a party to the same, shall be considered, for the purposes of this convention, to have been exported from the country of their publication.

Art. IX. The present convention shall come into operation on the 1st of September, 1846. It shall remain in force for five years from that date, and further, until the expiration of a year's notice, which may be given by either party, at any time after the 1st of September, 1851.

Art. X. The present convention shall be ratified, and the ratifications shall be exchanged at Berlin, at the expiration of two months, or sooner if possible.

Protocol signed by the two Plenipotentiaries on the conclusion of the preceding Convention.

The undersigned plenipotentiaries of Her Majesty the Queen of Great Britain and Ireland, and of His Majesty the King of Prussia, met together this day in order to sign the treaty drawn up on the basis of the negotiations which have taken place for the reciprocal protection of the right of authors against piracy and unauthorized reproduction.

The two original copies of the treaty having been examined and found to correspond in form and contents with the concerted stipulations, the plenipotentiaries proceeded to sign the same, under the following conditions; such conditions, though not appearing of a nature to be admitted into the text of the treaty, nevertheless to be considered, on the ratification of the treaty, as thereby agreed to and ratified:—

1. With respect to Article II.:—Both Governments engage that the fees which may at any time be levied for the registering of a single work in the register-book of the Company of Stationers in London, or in the catalogue of the office of His Prussian Majesty's Minister for Ecclesiastical, Educational, and Medical Affairs, shall not exceed the sum of one shilling sterling, or of ten silver groschen, as has been already declared on the part of Great Britain in a letter from the Board of Trade of the 2nd April, 1844, letter E.

2. With reference to the same Article:—The delivery of a copy gratuitously shall take place in Great Britain at the Stationers' Company in London, and in Prussia at the office of the Minister of Ecclesiastical, Educational, and Medical Affairs in Berlin.

3. With reference to Article IV.:—Both Governments agree, that the duty on musical works imported from Prussia into Great Britain shall not be greater than the duty on books imported from Prussia into Great Britain.

4. With reference to Article V.:—It is understood that the stamping agreed to in this Article will be confined to books and musical works (according to the interpretation of the word "books" given in Article II. of the Act of Parliament 5 & 6 Vict. c. 45, of 1st of July, 1842); whereas all other objects mentioned in Article I. of the convention this day signed, will not require to be stamped in order to enable them to be imported into Great Britain at the rate of duty fixed for these objects by Article IV. of the present treaty.

ACCESSION OF THE KING OF SAXONY TO THE CONVENTION CONCLUDED MAY 13, 1846, BETWEEN GREAT BRITAIN AND PRUSSIA, FOR THE ESTABLISHMENT OF INTERNATIONAL COPYRIGHT. *Signed at Berlin, August 24, 1846.*

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Prussia, having concluded at Berlin, on the 13th of May, 1846, a convention for the reciprocal protection of Copyright against piracy; and it having been stipulated in Article VIII. of that convention, that those German States which, together with Prussia, compose the German Union of Customs, or which may hereafter join that Union, should have the right of acceding to the said convention; their Britannic and Prussian Majesties have addressed to His Majesty the King of Saxony, the invitation to accede thereto;

And His Majesty the King of Saxony being desirous of availing himself of the opportunity thus afforded to him of acceding to the said convention;

The plenipotentiary of His Majesty the King of Saxony in consequence declares, in virtue of his full powers, that His said Majesty accedes both to the convention of the 13th May, 1846, containing ten Articles, and of which a printed copy is annexed to the present Act, and to the special provisions contained in ss. 1-4 of the separate protocol signed on the same day, of which a copy is also hereunto annexed; promising that the stipulations of the said convention, which shall come into operation in the Kingdom of Saxony, from and after the 1st of September, 1846, as well as those of the separate protocol, shall be carried into execution by His Majesty the King of Saxony in all points, so far as they may be applicable to the relations which subsist between the Saxon Government and the British Government and its subjects; subject, however, to the express reservation, that Article II. of the convention shall be modified, with regard to Saxony, in the following manner, that is to say:

No person in either of the two countries, either in the United Kingdom of Great Britain and Ireland, or in the Kingdom of Saxony, shall be entitled to the protection stipulated by Article I. of the convention, unless the work to be protected against piracy shall have been registered by the author or his agents in the following manner:—

1. If the work has first appeared in the dominions of His Majesty the King of Saxony, it must have been registered in the register-book of the Company of Stationers in London.

2. If the work has first appeared in the dominions of Her

Britannic Majesty, it must have been registered in the register-book kept by the Royal Direction of the Circle (*die Bücherrolle*) at Leipzig.

Nor shall any person be entitled to the protection aforesaid, unless the laws and regulations of the respective States shall have been duly observed in regard to the work to be protected; nor, in cases where there are several copies of the work, unless one copy of the best edition, or in the best state, shall have been delivered gratuitously to the authorities appointed for that purpose by the laws of the respective countries.

A certified copy of the registration in the aforesaid register-book of the Company of Stationers in London, shall be valid in the British dominions, as proof of the exclusive right of publication, until a better right shall be established by any other party before a court of justice; and the certificate given under the laws of Saxony, of the registration of any work in the aforesaid register-book at Leipzig, shall be equally valid in the dominions of His Saxon Majesty.

The plenipotentiaries of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and of His Majesty the King of Prussia, in virtue of their full powers, accept the accession of His Majesty the King of Saxony; promising that the stipulations of the convention of the 13th of May, 1846, as well as the special provisions which are contained in the protocol of the same date, and those which form the reservation above mentioned, shall be carried into execution by their respective sovereigns in all points, with regard to the Saxon Government and its subjects in the same manner as between the British and Prussian Governments and their subjects.

ACCESSION OF THE STATES FORMING THE THURINGIAN UNION,
TO THE CONVENTION CONCLUDED MAY 13, 1846, BETWEEN
GREAT BRITAIN AND PRUSSIA, FOR THE ESTABLISHMENT OF
INTERNATIONAL COPYRIGHT. *Signed at Berlin, July 1, 1847.*

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Prussia, having concluded at Berlin, on the 13th of May, 1846, a convention for the reciprocal protection of Copyright against piracy; and having stipulated in Article VIII. of that convention, that those German States which, together with Prussia, compose the German Union of Customs, or which may hereafter join that Union, should have the right of acceding to the said convention; their Britannic and Prussian Majesties

have addressed to the States forming the Thuringian Union, that is to say, His Royal Highness the Grand Duke of Saxe-Weimar-Eisenach, their Royal Highnesses (*Hoheiten*) the Dukes of Saxe-Altenburg, Saxe-Coburg-Gotha, and Saxe-Meiningen, and their Serene Highnesses the Princes of Schwarzburg-Rudolstadt and Schwarzburg-Sondershausen, Reuss-Greiz, Reuss-Lobenstein-Eberdorf, and Reuss-Schleitz, the invitation to accede thereto ;

And the said States being desirous of availing themselves of the opportunity thus afforded to them of acceding to the said convention ;

The plenipotentiary of His Royal Highness the Grand Duke of Saxe-Weimar-Eisenach, as well as the plenipotentiary of their Royal Highnesses the Dukes of Saxe-Altenburg, Saxe-Coburg-Gotha, and Saxe-Meiningen, and of their Serene Highnesses the Princes of Schwarzburg-Rudolstadt and Schwarzburg-Sondershausen, Reuss-Greiz, Reuss-Lobenstein-Ebersdorf, and Reuss-Schleitz, in consequence declare, in virtue of their full powers, that their said Royal and Serene Highnesses accede both to the convention of the 13th May, 1846, containing ten Articles, and of which a printed copy is annexed to the present Act, and to the special provisions contained in ss. 1-4 of the separate protocol signed on the same day, of which a copy is also hereunto annexed ; promising that the stipulations of the said convention, which shall come into operation in the States of the Thuringian Union from and after the 15th of July, 1847, as well as those of the separate protocol, shall be carried into execution by their said Royal and Serene Highnesses in all points, so far as they may be applicable to the relations which subsist between the States of the Thuringian Union and the British Government and its subjects ; and declaring that English works registered, in virtue of Article II. of the convention, in the register-book kept at Berlin, shall be entitled also to protection against piracy in the said States.

The plenipotentiaries of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and of His Majesty the King of Prussia, in virtue of their full powers, accept the accession of their said Royal and Serene Highnesses ; promising that the stipulations of the convention of the 13th of May, 1846, as well as the special provisions which are contained in the protocol of the same date, shall be carried into execution by their respective sovereigns in all points, with regard to the States of the Thuringian Union and their subjects, in the same manner as between the British and Prussian Governments and their subjects.

Note addressed by the British Plenipotentiary to the Prussian Plenipotentiary on the signature of the preceding Act of Accession.

The Act of Accession of the States forming the Thuringian Union of German Customs, to the convention concluded on the 13th of May, 1846, between Great Britain and Prussia, for the reciprocal protection of Copyright, having been this day signed by the respective plenipotentiaries, the undersigned, Envoy Extraordinary and Minister Plenipotentiary of Her Britannic Majesty, in accepting the proposition, according to which it will for the present be sufficient for the purpose of securing protection to an English work within the States of the said Union, that it should have been registered in the register-book kept at Berlin, gives at the same time, in the name of his Government, the formal assurance, that if hereafter, more than one other place, besides Berlin and Leipzig, should be selected by the members of the Zollverein who may accede to the convention of the 13th of May, 1846, for the registration of English books to be protected against piracy, the town of Weimar shall likewise be made a place of registration.

In making the present declaration, the undersigned avails himself, &c.

Berlin, July 1, 1847.

(Signed) WESTMORLAND.

His Excellency the Baron de Cunitz,
&c. &c.

CONVENTION BETWEEN HER MAJESTY AND THE KING OF HANOVER, FOR THE ESTABLISHMENT OF INTERNATIONAL COPYRIGHT. *Signed at London, August 4, 1847.*

Art. I. The authors of books, dramatic works, or musical compositions, and the inventors, designers, or engravers of prints and articles of sculpture; and the authors, inventors, designers, or engravers of any other works whatsoever of literature and the fine arts, in which the laws of Great Britain and of Hanover do now or may hereafter give their respective subjects the privilege of copyright, shall, with regard to any such works or articles first published in either of the two States, enjoy in the other the same privilege of copyright as would by law be enjoyed by the author, inventor, designer, or engraver of a similar work, if first published in such

other State, together with the same legal remedies and protection against piracy and unauthorized republication.

The lawful representatives or assigns of authors, inventors, designers, or engravers, shall, in all these respects, be treated on the same footing as the authors, inventors, designers, or engravers themselves.

Art. II. No person shall in either country be entitled to the protection stipulated by the preceding Article, unless the work in respect of which copyright is claimed shall have been registered by the original producer, or by his lawful representatives or assigns, in the manner following:—

First. If the work be one that has first appeared in the dominions of His Majesty the King of Hanover, it must have been registered in the register-book of the Company of Stationers in London.

Secondly. If the work be one that has first appeared in the dominions of Her Britannic Majesty, it must have been registered in the Catalogue to be kept for that purpose at the office of His Hanoverian Majesty's Minister of the Interior.

Nor shall any person be entitled to such protection as aforesaid unless the laws and regulations of the respective States in regard to the work in respect of which it may be claimed, shall have been duly complied with, nor unless one copy of the work, or, in cases where there are several copies of the work, unless one copy of the best edition, or in the best state, shall have been delivered gratuitously at the place appointed by law for that purpose in the respective countries.

A certified copy of the entry in the said register-book of the Company of Stationers in London shall be valid in the British dominions, as proof of the exclusive right of republication, until a better right shall have been established by any other party before a court of justice; and the certificate given under the laws of Hanover of the registration of any work in that country shall be valid for the same purpose in the Hanoverian dominions.

Art. III. The authors of dramatic and musical works which shall have been first publicly represented or performed in either of the two countries, as well as the lawful representatives or assigns of such authors, shall likewise be protected in regard to the public representation or performance of their works in the other country, to the full extent in which native subjects would be protected in respect of dramatic and musical works first represented or performed in such country; provided they shall previously have duly registered their copyright in the offices mentioned in the preceding Article, in conformity with the laws of the respective States.

Art. IV. In lieu of the rates of duty which may at any time, during the continuance of this convention, be payable upon the

importation into the United Kingdom of foreign books, musical works, prints, and drawings, there shall be charged upon the importation of books, musical works, prints, or drawings, published within the dominions of Hanover, and legally importable into the United Kingdom, only the rates of duty specified in the table hereto annexed, that is to say—

Duties on books and musical works, viz.:—	£	s.	d.
Works originally produced in the United Kingdom and republished in Hanover the cwt.	2	10	0
Works not originally produced in the United Kingdom the cwt.	0	15	0
Prints or drawings, plain or coloured single, each	0	0	0½
—— bound or sewed the dozen	0	0	1½

It is understood, that all works of which any part was originally produced in the United Kingdom, will be considered as “works originally produced in the United Kingdom, and republished in Hanover,” and will be subject to the duty of fifty shillings per cwt., although the same may contain also original matter produced elsewhere, unless such original matter shall be at least equal in bulk to the part of the work originally produced in the United Kingdom, in which case, the work will be subject only to the duty of fifteen shillings per cwt.

Art. V. It is agreed that stamps shall be provided according to a pattern to be made known to the Custom-house officers of the United Kingdom, and that the municipal or other authorities of the several towns in Hanover shall affix such stamps to all books intended for exportation to the United Kingdom. And no books shall, for the purposes of this convention, so far as the same relates to the rates of duty at which such books are to be entered, be deemed to have been published in Hanover, except such as appear by their title-page to have been published at some town or place within the dominions of Hanover, and which have been duly stamped by the proper municipal or other authority.

It is understood that the stamping agreed to in this Article will be confined to books and musical works (according to the interpretation of the word “books,” given in section 2 of the Act of Parliament 5 & 6 Victoria, cap. 45, of July 1, 1842), whereas all other objects mentioned in Article IV. will not require to be stamped in order to enable them to be imported into Great Britain, at the rate of duty fixed for those objects by the said Article.

Art. VI. Nothing in this convention shall be construed to affect the right of either of the two high contracting parties to prohibit the importation into its own dominions of such books as, by its internal law, or under its treaties with other States, are declared to be piracies or infringements of copyright.

Art. VII. In case either of the two high contracting parties shall conclude a treaty of International Copyright with any third power, a stipulation similar to that contained in the preceding Article shall be inserted in such treaty.

Art. VIII. Any German State which may choose to accede to the present convention, shall be admitted to it. Books, musical works, prints, and drawings, published in any State so becoming a party to this convention, and exported from any other State, also being a party to the same, shall be considered, for the purposes of the convention, to have been exported from the country of their publication.

Art. IX. The present convention shall come into operation one calendar month after the exchange of the ratifications. It shall remain in force until the 1st of September, 1851; and further, until the expiration of a year's notice, which may be given by either party, at any time after the 1st of September, 1851.

Art. X. The present convention shall be ratified, and the ratifications shall be exchanged at Hanover, at the expiration of two months, or sooner if possible.

Protocol signed by the Plenipotentiaries on the conclusion of the preceding Convention.

The undersigned plenipotentiaries of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and of His Majesty the King of Hanover, met together this day in order to sign the treaty drawn up on the basis of the negotiations which have taken place for the reciprocal protection of the rights of authors against piracy and unauthorized republication.

The two original copies of the treaty having been examined and found to correspond in form and contents with the concerted stipulations, the plenipotentiaries proceeded to sign the same, under the following conditions: such conditions, though not appearing of a nature to be admitted into the text of the treaty, nevertheless to be considered, on the ratification of the treaty, as thereby agreed to and ratified:—

1. It is understood that no clause of the present convention shall affect or alter the exclusive rights and privileges subsisting at this time in the Kingdom of Hanover, for the publication of calendars and almanacks, psalm-books, catechisms, &c.

2. With respect to Article II:—Both Governments engage that the fees which may at any time be levied for the registering of a single work in the register-book of the Company of Stationers in London, or in the Catalogue of the office of His Hanoverian Majesty's Minister of the Interior, shall not exceed the sum of one shilling sterling, or of eight gutegroschen.

3. With reference to the same Article :—The delivery of one copy gratuitously shall take place in Great Britain at the Hall of the Stationers' Company in London, and in Hanover at the office of the Minister of Ecclesiastical and Educational Affairs. The value of any copy besides, demanded on behalf of any library in either country, shall be paid to the publisher.

London, August 4, 1847.

PALMERSTON.

H. LABOUCHERE.

A. KIELMANSEGGE.

ACCESSION OF THE GRAND DUKE OF OLDENBURG TO THE CONVENTION CONCLUDED AUGUST 4, 1847, BETWEEN GREAT BRITAIN AND HANOVER, FOR THE ESTABLISHMENT OF INTERNATIONAL COPYRIGHT. *Signed at Hanover, December 28, 1847.*

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Hanover, having concluded at London, on the 4th of August, 1847, a convention for the reciprocal protection of Copyright against piracy; and it having been stipulated in Article VIII. of that convention, that any German State which may choose to accede to the said convention should be admitted to it; Their Britannic and Hanoverian Majesties have addressed to His Royal Highness the Grand Duke of Oldenburg the invitation to accede thereto;

And His Royal Highness the Grand Duke of Oldenburg, being desirous to avail himself of the opportunity thus afforded to him of acceding to the said convention;

The plenipotentiary of His Royal Highness the Grand Duke of Oldenburg in consequence declares, in virtue of his full powers, that His Royal Highness accedes both to the convention of the 4th of August, 1847, containing ten Articles, and of which a printed copy is annexed to the present Act, and to the special provisions contained in the separate protocol signed on the same day, of which a copy is also hereunto annexed; promising that the stipulations of the said convention, which shall come into operation in the Grand Duchy of Oldenburg from and after the day of the signature of the present Act, as well as those of the separate protocol, shall be carried into execution by His Royal Highness the Grand Duke of Oldenburg, in all points, so far as they may be applicable to the relations which subsist between the Government of Oldenburg and the British Government and its subjects; subject, however, to the express reservation,—

1. That Article II. of the convention shall be modified, with

regard to the Grand Duchy of Oldenburg, in the following manner ; that is to say,—

No person in either of the two countries, either in the United Kingdom of Great Britain and Ireland, or in the Grand Duchy of Oldenburg, shall be entitled to the protection stipulated by Article I. of the convention, unless the work to be protected against piracy shall have been registered by the author or his agents, in the following manner:—

If the work has first appeared in the dominions of His Royal Highness the Grand Duke of Oldenburg, it must have been registered in the register-book of the Company of Stationers in London.

If the work has first appeared in the dominions of Her Britannic Majesty, it must have been registered in the register-book kept by the Grand-Ducal Department of State and Cabinet at Oldenburg.

Nor shall any person be entitled to the protection aforesaid, unless the laws and regulations of the respective States shall have been duly observed in regard to the work to be protected ; nor, in cases where there are several copies of the work, unless one copy of the best edition, or in the best state, shall have been delivered gratuitously to the authorities appointed for that purpose by the laws of the respective countries.

A certified copy of the registration in the aforesaid register-book of the Company of Stationers in London, shall be valid in the British dominions, as proof of the exclusive right of publication, until a better right shall be established by any other party before a court of justice ; and the certificate given under the laws of Oldenburg, of the registration of any work in the aforesaid register-book at Oldenburg, shall be equally valid in the dominions of His Royal Highness the Grand Duke of Oldenburg.

2. That the stipulations of s. 1 of the separate protocol shall not apply to the Grand Duchy of Oldenburg.

3. And that the stipulations of the present Act shall extend to the principalities of Lubbeck and Birkenfeld, as forming part of the Grand Duchy of Oldenburg.

The plenipotentiaries of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and of His Majesty the King of Hanover, in virtue of their full powers, accept the accession of His Royal Highness the Grand Duke of Oldenburg ; promising that the stipulations of the convention of the 4th of August, 1847, as well as the special provisions which are contained in the protocol of the same date, and those which form the reservation above mentioned, shall be carried into execution by their respective Sovereigns in all points, with regard to the Government of Olden-

burg and its subjects, in the same manner as between the British and Hanoverian Governments and their subjects.

CONVENTION BETWEEN HER MAJESTY AND THE FRENCH REPUBLIC, FOR THE ESTABLISHMENT OF INTERNATIONAL COPYRIGHT.
Signed at Paris, November 3, 1851.

Art. I. From and after the date on which, according to the provisions of Article XIV., the present convention shall come into operation, the authors of works of literature or of art, to whom the laws of either of the two countries do now or may hereafter give the right of property, or copyright, shall be entitled to exercise that right in the territories of the other of such countries for the same term, and to the same extent, as the authors of works of the same nature, if published in such other country, would therein be entitled to exercise such right; so that the republication or piracy in either country, of any work of literature or of art, published in the other, shall be dealt with in the same manner as a republication or piracy of a work of the same nature first published in such other country; and so that such authors in the one country shall have the same remedies before the courts of justice in the other country, and shall enjoy in that other country the same protection against piracy and unauthorized republication, as the law now does or may hereafter grant to authors in that country.

The terms "works of literature or of art," employed at the beginning of this Article, shall be understood to comprise publications of books, of dramatic works, of musical compositions, of drawing, of painting, of sculpture, of engraving, of lithography, and of any other works whatsoever of literature and of the fine arts.

The lawful representatives or assigns of authors, translators, composers, painters, sculptors, or engravers, shall in all respects enjoy the same rights which by the present convention are granted to the authors, translators, composers, painters, sculptors, or engravers themselves.

Art. II. The protection granted to original works is extended to translations; it being, however, clearly understood, that the intention of the present Article is simply to protect a translator in respect of his own translation, and that it is not intended to confer upon the first translator of any work the exclusive right of translating that work, except in the case and to the extent provided for in the following Article.

Art. III. The author of any work published in either of the two countries, who may choose to reserve the right of translating it,

shall, until the expiration of five years from the date of the first publication of the translation thereof authorized by him, be, in the following cases, entitled to protection from the publication in the other country of any translation of such work not so authorized by him :

§ 1. If the original work shall have been registered and deposited in the one country within three months after its first publication in the other.

§ 2. If the author has notified on the title-page of his work his intention to reserve the right of translating it.

§ 3. Provided always, that at least a part of the authorized translation shall have appeared within a year after the registration and deposit of the original, and that the whole shall have been published within three years after the date of such deposit.

§ 4. And provided that the publication of the translation shall take place within one of the two countries, and that it shall be registered and deposited according to the provisions of Article VIII.

With regard to works which are published in parts, it will be sufficient if the declaration of the author that he reserves the right of translation, shall appear in the first part. But with reference to the period of five years limited by this Article for the exercise of the exclusive right of translation, each part shall be treated as a separate work, and each part shall be registered and deposited in the one country within three months after its first publication in the other.

Art. IV. The stipulations of the preceding Articles shall also be applicable to the representation of dramatic works, and to the performance of musical compositions, in so far as the laws of each of the two countries are or shall be applicable in this respect to dramatic and musical works first publicly represented or performed therein.

In order, however, to entitle the author to legal protection in regard to the translation of a dramatic work, such translation must appear within three months after the registration and deposit of the original.

It is understood that the protection stipulated by the present Article is not intended to prohibit fair imitations, or adaptations of dramatic works to the stage in England and France respectively, but is only meant to prevent piratical translations.

The question whether a work is an imitation or a piracy, shall in all cases be decided by the courts of justice of the respective countries, according to the laws in force in each.

Art. V. Notwithstanding the stipulations of Articles I. and II. of the present convention, articles extracted from newspapers or periodicals published in either of the two countries, may be re-

published or translated in the newspapers or periodicals of the other country, provided the source from whence such articles are taken be acknowledged.

Nevertheless, this permission shall not be construed to authorize the republication in one of the two countries, of articles from newspapers or periodicals published in the other country, the authors of which shall have notified in a conspicuous manner in the journal or periodical in which such articles have appeared, that they forbid the republication thereof.

Art. VI. The importation into and the sale in either of the two countries of piratical copies of works which are protected from piracy under Articles I., II., III., and V. of the present convention, are prohibited, whether such piratical copies originate in the country where the work was published, or in any other country.

Art. VII. In the event of an infraction of the provisions of the foregoing Articles, the pirated works or articles shall be seized and destroyed; and the persons who may have committed such infraction shall be liable in each country to the penalties and actions which are or may be prescribed by the laws of that country for such offences, committed in respect of a work or production of home origin.

Art. VIII. Neither authors, nor translators, nor their lawful representatives or assigns, shall be entitled in either country to the protection stipulated by the preceding Articles, nor shall copyright be claimable in either country, unless the work shall have been registered in the manner following, that is to say:—

1. If the work be one that has first appeared in France, it must be registered at the Hall of the Company of Stationers in London.

2. If the work be one that has first appeared in the dominions of Her Britannic Majesty, it must be registered at the *Bureau de la Librairie* of the Ministry of the Interior at Paris.

No person shall be entitled to such protection as aforesaid, unless he shall have duly complied with the laws and regulations of the respective countries in regard to the work in respect of which such protection may be claimed. With regard to books, maps, prints, or musical publications, no person shall be entitled to such protection, unless he shall have delivered gratuitously, at one or other of the places mentioned above, as the case may be, one copy of the best edition, or in the best state, in order to its being deposited at the place appointed for that purpose in each of the two countries; that is to say, in Great Britain, at the British Museum at London; and in France, at the National Library at Paris.

In every case, the formality of deposit and registration must be fulfilled within three months after the first publication of the

work in the other country. With regard to works published in parts, the period of three months shall not begin to run until the date of the publication of the last part, unless the author shall have notified his intention to reserve the right of translating it, as provided in Article III.; in which case each part shall be treated as a separate work.

A certified copy of the entry in the register-book of the Company of Stationers in London shall confer, within the British dominions, the exclusive right of republication, until a better right shall have been established by any other party before a court of justice.

The certificate given under the laws of France, proving the registration of any work in that country, shall be valid for the same purpose throughout the territories of the French Republic.

A certificate or certified copy of the registration of any work so registered in either country, shall, if required, be delivered at the time of registration; and such certificate shall state the exact date at which the registration was made.

The charge for the registration of a single work, under the stipulations of this Article, shall not exceed one shilling in England, nor one franc and twenty-five centimes in France; and the further charge for a certificate of such registration shall not exceed the sum of five shillings in England, nor six francs and twenty-five centimes in France.

The provisions of this Article shall not extend to articles which may appear in newspapers or periodicals; which shall be protected from republication or translation simply by a notice from the author, as prescribed by Article V. But if any article or work which has originally appeared in a newspaper or periodical, shall afterwards be published in a separate form, it shall then become subject to the stipulations of the present Article.

Art. IX. With regard to any article other than books, prints, maps, and musical publications, in respect to which protection may be claimable under Article I. of the present convention, it is agreed, that any other mode of registration than that prescribed in the preceding Article, which is or may be applicable by law in one of the two countries to any work or article first published in such country, for the purpose of affording protection to copyright in such work or article, shall be extended on equal terms to any similar work or article first published in the other country.

Art. X. During the continuance of this convention, the duties now payable upon the lawful importation into the United Kingdom of Great Britain and Ireland of books, prints, drawings, or musical works, published throughout the territories of the French Republic, shall be reduced to and fixed at the rates hereinafter specified; that is to say—

1. Duties on books and musical works, viz.—

		£	s.	d.
(a) Works originally produced in the United Kingdom, and republished in France	the cwt.	2	10	0
(b) Works not originally produced in the United Kingdom	the cwt.	0	15	0

2. Prints or drawings :—

(a) Coloured or plain, single	each	0	0	0½
(b) Bound or sewed	the dozen	0	0	1½

It is agreed that the rates of duty above specified shall not be raised during the continuance of the present convention: and that if hereafter, during the continuance of this convention, any reduction of those rates should be made in favour of books, prints, drawings, or musical works published in any other country, such reduction shall be at the same time extended to similar articles published in France.

It is moreover understood that all works published in France, of which any part may have been originally produced in the United Kingdom, shall be considered as "works originally produced in the United Kingdom, and republished in France," and as such shall be subject to the duty of fifty shillings per cwt., although the same may contain also original matter not produced in the United Kingdom; unless such original matter shall be at least equal in bulk to the part of the work originally produced in the United Kingdom, in which case the work shall be subject only to the duty of fifteen shillings per cwt.

Art. XI. In order to facilitate the execution of the present convention, the two high contracting parties engage to communicate to each other the laws and regulations which may hereafter be established in their respective territories, with respect to copyright in works or productions protected by the stipulations of the present convention.

Art. XII. The stipulations of the present convention shall in no way affect the right which each of the two high contracting parties expressly reserves to itself, of controlling or of prohibiting, by measures of legislation or of internal police, the sale, circulation, representation, or exhibition of any work or production, in regard to which either country may deem it expedient to exercise that right.

Art. XIII. Nothing in this convention shall be construed to affect the right of either of the two high contracting parties to prohibit the importation into its own dominions, of such books as, by its internal law, or under engagements with other States, are or may be declared to be piracies, or infringements of copyright.

Art. XIV. Her Britannic Majesty engages to recommend to Parliament to pass an Act to enable her to carry into execution such of the arrangements contained in the present convention as require the sanction of an Act of the Legislature. When such an Act shall have been passed, the convention shall come into operation from and after a day to be then fixed upon by the two high contracting parties. Due notice shall be given beforehand in each country, by the Government of that country, of the day which may be so fixed upon; and the stipulations of the convention shall apply only to works or articles published after that day.

The convention shall continue in force for ten years from the day on which it may come into operation: and if neither party shall, twelve months before the expiration of the said period of ten years, give notice of its intention to terminate its operation, the convention shall continue in force for a year longer, and so on from year to year, until the expiration of a year's notice from either party for its termination.

The high contracting parties, however, reserve to themselves the power of making by common consent, in this convention, any modifications which may not be inconsistent with its spirit and principles, and which experience of its working may shew to be desirable.

Art. XV. The present convention shall be ratified, and the ratifications shall be exchanged at Paris as soon as may be within three months from the date of signature.

Procès-Verbal of the exchange of Ratifications.

The undersigned having met together in order, on the part of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and of the President of the French Republic, to proceed to the exchange of the respective ratifications of the convention between Great Britain and France, signed at Paris on the 3rd of November last, for the mutual protection, in the two countries, of copyright in works of literature and of art; the respective instruments of ratification were produced, and after having been carefully compared and found to be exactly conformable to each other, were exchanged in the usual form.

1. Notwithstanding, however, that by the terms of Article XIV., it is stipulated that none of the arrangements of the convention shall come into operation until after the time when such of those arrangements as require to be confirmed in Great Britain by an Act of the Legislature, shall have been so sanctioned; it was mutually agreed, that such of those arrangements as do not require that sanction, and as the present state of the law enables the British

Crown to carry at once into execution, shall on either side receive their full and entire effect as soon as possible.

2. It was also agreed, that the stipulations contained in Article V., which forbid the republication in either of the two countries, of articles from newspapers or periodicals published in the other, the authors of which shall have notified in the newspaper or periodical in which such articles have appeared, that they forbid the republication thereof,—shall not be applicable to articles of political discussion.

The preceding interpretations and explanations shall have the same force and validity as if they had been inserted in the convention itself.

In witness whereof the undersigned have signed the present *procès-verbal*, in duplicate, at Paris, the eighth day of January, in the year of our Lord one thousand eight hundred and fifty-two.

(L.S.) NORMANBY.

(L.S.) TURGOT.

ACCESSION OF THE DUKES OF ANHALT TO THE CONVENTION
CONCLUDED MAY 13, 1846, BETWEEN GREAT BRITAIN AND
PRUSSIA, FOR THE ESTABLISHMENT OF INTERNATIONAL COPY-
RIGHT. *Signed at Berlin, February 8, 1853.*

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Prussia, having concluded at Berlin, on the 13th of May, 1846, a convention for the reciprocal protection of Copyright against piracy, and it having been stipulated in Article VIII. of that convention that those German States which, together with Prussia, compose the German Union of Customs, or which may hereafter join that Union, should have the right of acceding to the said convention, their Britannic and Prussian Majesties have addressed to their Serene Highnesses the Dukes of Anhalt-Dessau and Anhalt-Bernbourg the invitation to accede thereto;

And their Serene Highnesses being desirous of availing themselves of the opportunity thus afforded to them of acceding to the said convention;

The plenipotentiary of their Serene Highnesses the Dukes of Anhalt-Dessau and Anhalt-Bernbourg in consequence declares, in virtue of his full powers, that their said Serene Highnesses accede both to the convention of the 13th May, 1846, containing ten Articles, and of which a printed copy is annexed to the present Act, and to the special provisions contained in ss. 1-4 of the

separate protocol signed on the same day, of which a copy is also hereunto annexed, promising that the stipulations of the said convention, which shall come into operation in the Duchies of Anhalt from and after the 1st of April, 1853, as well as those of the separate protocol, shall be carried into execution by their Serene Highnesses the Dukes of Anhalt-Dessau and Anhalt-Bernbourg, in all points, so far as they may be applicable to the relations which subsist between the Governments of the two Duchies and the British Government and its subjects, and declaring that English works registered, in virtue of Article II. of the convention, in the register kept at Berlin, shall be entitled also to protection against piracy in the Duchies of Anhalt.

The plenipotentiaries of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and of His Majesty the King of Prussia, in virtue of their full powers, accept the accession of their Serene Highnesses the Dukes of Anhalt-Dessau and Anhalt-Bernbourg; promising that the stipulations of the convention of the 13th of May, 1846, as well as the special provisions which are contained in the protocol of the same date, shall be carried into execution by their respective Sovereigns on all points, with regard to the Governments of the Duchies of Anhalt and of their subjects, in the same manner as between the British and Prussian Governments and their subjects.

CONVENTION BETWEEN HER MAJESTY AND THE FREE HANSEATIC CITY OF HAMBURG, FOR THE ESTABLISHMENT OF INTERNATIONAL COPYRIGHT. *Signed at Hamburg, August 16, 1853.*

Art. I. The authors of works of literature or of art, to whom the laws of either of the two States do now or may hereafter give the right of property or copyright, shall be entitled to exercise that right in the territories of the other of such States for the same term, and to the same extent, as the authors of works of the same nature, if published in such other State, would therein be entitled to exercise such right; so that the republication or piracy in either State of any work of literature or of art published in the other shall be dealt with in the same manner as the republication or piracy of a work of the same nature first published in such other State, and so that such authors in the one State shall have the same remedies before the courts of justice in the other State, and shall enjoy in that other State the same protection against piracy and unauthorized republication as the law now does or may hereafter grant to authors in that State.

The terms "works of literature or of art" employed at the beginning of this Article shall be understood to comprise publications of books, of dramatic works, of musical compositions, of drawing, of painting, of sculpture, of engraving, of lithography, and of any other works whatsoever of literature and of the fine arts.

The lawful representatives or assigns of authors, translators, composers, painters, sculptors, or engravers shall, in all respects, enjoy the same rights which by the present convention are granted to the authors, translators, composers, painters, sculptors, or engravers themselves.

Art. II. The protection granted to original works is extended to translations, it being however clearly understood that the intention of the present Article is simply to protect a translator in respect of his own translation, and that it is not intended to confer upon the first translator of any work the exclusive right of translating that work, except in the case and to the extent provided for in the following Article.

Art. III. The author of any work published in either of the two States, who may choose to reserve the right of translating it, shall, until the expiration of five years from the date of the first publication of the translation thereof authorized by him, be, in the following cases, entitled to protection from the publication in the other State of any translation of such work not so authorized by him.

§ 1. If the original work shall have been registered and deposited in the one State within three months after its first publication in the other.

§ 2. If the author has notified on the title-page of his work his intention to reserve the right of translating it.

§ 3. Provided always that at least a part of the authorized translation shall have appeared within a year after the registration and deposit of the original, and that the whole shall have been published within three years after the date of such deposit.

§ 4. And provided that the publication of the translation shall take place within one of the two States, and that it shall be registered and deposited according to the provisions of Article VII.

With regard to works which are published in parts, it will be sufficient if the declaration of the author that he reserves the right of translation, shall appear in the first part. But with reference to the period of five years limited by this Article for the exercise of the exclusive right of translation, each part shall be treated as a separate work, and each part shall be registered and deposited in the one State within three months after its first publication in the other.

Art. IV. The stipulations of the preceding Article shall also be applicable to the representation of dramatic works, and to the performance of musical compositions, in so far as the laws of each of the two States are or shall be applicable in this respect to dramatic and musical works first publicly represented or performed therein.

In order, however, to entitle the author to legal protection in regard to the translation of a dramatic work, such translation must appear within three months after the registration and deposit of the original.

It is understood that the protection stipulated by the present Article is not intended to prohibit fair imitations or adaptations of dramatic works to the stage of England and Hamburgh respectively, but is only meant to prevent piratical translations.

The question whether a work is an imitation or a piracy shall in all cases be decided by the courts of justice of the respective States, according to the laws in force in each.

Art. V. The importation into, and the sale in either of the two States of piratical copies of works, which are protected from piracy under Articles I., II., and III. of the present convention, are prohibited, whether such piratical copies originate in the country where the work was published or in any other country.

Art. VI. In the event of an infraction of the provisions of the foregoing Articles, the pirated works or articles shall be seized and destroyed; and the persons who may have committed such infraction shall be liable in each State to the penalties and actions which are or may be prescribed by the laws of that State for such offences, committed in respect of a work or production of home origin.

Art. VII. Neither authors, nor translators, nor their lawful representatives or assigns, shall be entitled in either State to the protection stipulated by the preceding Articles, nor shall copyright be claimable in either State unless the work shall have been registered in the manner following, that is to say:—

1. If the work be one that has first appeared in Hamburgh, it must be registered at the Hall of the Company of Stationers in London;

2. If the work be one that has first appeared in the dominions of Her Britannic Majesty, it must be registered in the Catalogue kept for that purpose at the Office of the Public Library at Hamburgh.

No person shall be entitled to such protection as aforesaid, unless he shall have duly complied with the laws and regulations of the respective States in regard to the work in respect of which such protection may be claimed. With regard to books, maps, and prints, and also with regard to dramatic works and musical com-

positions, unless such dramatic works and musical compositions shall be in manuscript only, no person shall be entitled to such protection, unless he shall have delivered gratuitously, at one or other of the places mentioned above, as the case may be, one copy of the best edition, or in the best state, in order to its being deposited at the place appointed for that purpose in each of the two States, that is to say, in Great Britain at the British Museum at London; and in Hamburgh at the Public Library of that city.

In every case the formality of deposit and registration must be fulfilled within three months after the first publication of the work in the other State. With regard to works published in parts, the period of three months shall not begin to run until the date of the publication of the last part, unless the author shall have notified his intention to reserve the right of translating it, as provided in Article III., in which case each part shall be treated as a separate work.

A certified copy of the entry in the register-book of the Company of Stationers in London shall confer, within the British dominions, the exclusive right of republication, until a better right shall have been established by any other party before a court of justice.

The certificate given under the laws of Hamburgh, proving the registration of any work in that State, shall be valid for the same purpose throughout the territory of Hamburgh.

A certificate or certified copy of the registration of any work so registered in either State, shall, if required, be delivered at the time of registration, and such certificate shall state the exact date at which the registration was made.

The charge for the registration of a single work, under the stipulations of this Article, shall not exceed one shilling in England, nor twelve shillings currency in Hamburgh; and the further charge for a certificate of such registration shall not exceed the sum of five shillings in England, nor four marks currency in Hamburgh.

Art. VIII. With regard to any article other than books, prints, maps, and musical publications, in respect to which protection may be claimable under Article I. of the present convention, it is agreed that any other mode of registration than that prescribed in the preceding Article, which is or may be applicable by law in one of the two States to any work or article first published in such State, for the purpose of affording protection to copyright in such work or article, shall be extended on equal terms to any similar work or article first published in the other State.

Art. IX. During the continuance of this convention, the duties now payable upon the lawful importation into the United Kingdom

of Great Britain and Ireland of books, prints, drawings, or musical works; published throughout the Republic of Hamburg, shall be reduced to and fixed at the rates hereinafter specified, that is to say :

1. Duties on books and musical works, viz. :

	£	s.	d.
(a.) Works originally produced in the United Kingdom, and republished in Hamburg the cwt.	2	10	0
(b.) Works not originally produced in the United Kingdom. the cwt.	0	15	0

2. Prints or drawings :

(a.) Coloured or plain, single each	0	0	0½
(b.) Bound or sewed the dozen	0	0	1½

It is agreed that the rates of duty above specified shall not be raised during the continuance of the present convention, and that if hereafter, during the continuance of this convention, any reduction of those rates should be made in favour of books, prints, drawings, or musical works published in any other country, such reduction shall be at the same time extended to similar articles published in Hamburg.

It is moreover understood that all works published in Hamburg, of which any part may have been originally produced in the United Kingdom, shall be considered as works originally produced in the United Kingdom and republished in Hamburg, and as such shall be subject to the duty of fifty shillings per cwt., although the same may contain also original matter not produced in the United Kingdom, unless such original matter shall be at least equal in bulk to the part of the work originally produced in the United Kingdom, in which case the work shall be subject only to the duty of fifteen shillings per cwt.

It is further agreed that during the continuance of this convention, the rate of duties now payable on the importation into the territories of Hamburg of books, prints, drawings, and musical works published throughout the dominions of Her Britannic Majesty, shall not be raised, and shall not exceed the rates of duty which are or may be levied on the importation into the United Kingdom of similar works published in the territory of Hamburg.

Art. X. It is agreed that all books, prints, and drawings, published within the dominions of any other State that has concluded or concludes, or has acceded or accedes to, a Copyright Convention with Great Britain, and which may be legally imported into the United Kingdom, shall, if exported from Hamburg, be considered, for the purposes of this convention, to have been exported from the country of their publication.

Art. XI. It is further agreed, that stamps shall be provided at Hamburgh according to a pattern to be made known to the Custom-house officers of the United Kingdom, and that such stamps shall be affixed to all books intended for exportation to the United Kingdom, unless they be already provided with the stamps of the States mentioned in the foregoing Article X.

Art. XII. In order to facilitate the execution of the present convention, the two high contracting parties engage to communicate to each other the laws and regulations which may hereafter be established in their respective territories, with respect to copyright in works or productions protected by the stipulations of the present convention.

Art. XIII. The stipulations of the present convention shall in no way affect the right which each of the two high contracting parties expressly reserves to itself, of controlling or of prohibiting, by measures of legislation or of internal police, the sale, circulation, representation, or exhibition of any work or production, in regard to which either State may deem it expedient to exercise that right.

Art. XIV. Nothing in this convention shall be construed to affect the right of either of the two high contracting parties to prohibit the importation into its own dominions of such books as, by its internal law, or under engagements with other States, are or may be declared to be piracies or infringements of copyright.

Art. XV. The present convention shall come into operation as soon as possible after the exchange of the ratifications. Due notice shall be given beforehand in each State, by the Government of that State, of the day which may be fixed upon for its coming into operation, and the stipulations of the convention shall apply only to works or articles published after that day.

The convention shall continue in force for ten years from the day on which it may come into operation; and if neither party shall, twelve months before the expiration of the said period of ten years, give notice of its intention to terminate its operation, the convention shall continue in force for a year longer, and so on from year to year, until the expiration of a year's notice from either party for its termination.

The high contracting parties, however, reserve to themselves the power of making, by common consent in this convention, any modifications which may not be inconsistent with its spirit and principles, and which experience of its working may show to be desirable.

Art. XVI. The present convention shall be ratified, and the ratifications shall be exchanged at Hamburgh as soon as may be within three months from the date of the signature.

CONVENTION BETWEEN HER MAJESTY AND THE KING OF THE
BELGIANS, FOR THE ESTABLISHMENT OF INTERNATIONAL
COPYRIGHT. *Signed at London, August 12, 1854.*

Art. I. From and after the date on which, according to the provisions of Article XV., the present convention shall come into operation, the authors of works of literature or of art, to whom the laws of either of the two countries do now or may hereafter give the right of property or copyright, shall be entitled to exercise that right in the territories of the other of such countries for the same term, and to the same extent, as the authors of works of the same nature, if published in such other country, would therein be entitled to exercise such right; so that the republication or piracy in either country, of any work of literature or of art, published in the other, shall be dealt with in the same manner as the republication or piracy of a work of the same nature first published in such other country; and so that such authors in the one country shall have the same remedies before the courts of justice in the other country, and shall enjoy in that other country the same protection against piracy and unauthorized republication, as the law now does or may hereafter grant to authors in that country.

The terms "works of literature or of art," employed at the beginning of this Article, shall be understood to comprise publications of books, of dramatic works, of musical compositions, of drawing, of painting, of sculpture, of engraving, of lithography, and of any other works whatsoever of literature and of the fine arts.

The lawful representatives or assigns of authors, translators, composers, painters, sculptors, or engravers, shall, in all respects, enjoy the same rights which by the present convention are granted to the authors, translators, composers, painters, sculptors, or engravers themselves.

Art. II. The protection granted to original works is extended to translations; it being, however, clearly understood that the intention of the present Article is simply to protect a translator in respect of his own translation, and that it is not intended to confer upon the first translator of any work the exclusive right of translating that work, except in the case and to the extent provided for in the following Article.

Art. III. The author of any work published in either of the two countries, who may choose to reserve the right of translating it, shall, until the expiration of five years from the date of the first publication of the translation thereof authorized by him, be, in the following cases, entitled to protection from the publication in the

other country of any translation of such work not so authorized by him ;

§ 1. If the original work shall have been registered and deposited in the one country within three months after its first publication in the other.

§ 2. If the author has notified on the title-page of his work his intention to reserve the right of translating it.

§ 3. Provided always, that at least a part of the authorized translation shall have appeared within a year after the registration and deposit of the original, and that the whole shall have been published within three years after the date of such deposit.

§ 4. And provided that the publication of the translation shall take place within one of the two countries, and that it shall be registered and deposited according to the provisions of Article VIII.

With regard to works which are published in parts, it will be sufficient if the declaration of the author that he reserves the right of translation, shall appear in the first part. But with reference to the period of five years limited by this Article for the exercise of the exclusive right of translation, each part shall be treated as a separate work, and each part shall be registered and deposited in the one country within three months after its first publication in the other.

Art. IV. The stipulations of the preceding Articles shall also be applicable to the representation of dramatic works, and to the performance of musical compositions, in so far as the laws of each of the two countries are or shall be applicable in this respect to dramatic and musical works first publicly represented or performed therein.

In order, however, to entitle the author to legal protection in regard to the translation of a dramatic work, such translation must appear within three months after the registration and deposit of the original.

It is understood that the protection stipulated by the present Article is not intended to prohibit fair imitations, or adaptations of dramatic works to the stage in England and Belgium respectively, but is only meant to prevent piratical translations.

The question whether a work is an imitation or a piracy, shall in all cases be decided by the courts of justice of the respective countries, according to the laws in force in each.

Art. V. Notwithstanding the stipulations of Articles I. and II. of the present convention, articles extracted from newspapers or periodicals published in either of the two countries, may be republished or translated in the newspapers or periodicals of the other country, provided the source from whence such articles are taken be acknowledged.

Nevertheless, such permission shall not be construed to authorize the republication in one of the two countries, of articles from newspapers or periodicals published in the other country, the authors of which shall have notified in a conspicuous manner in the journal or periodical in which such articles have appeared, that they forbid the republication thereof.

This last stipulation shall not, however, apply to articles of political discussion.

Art. VI. The introduction, circulation, sale, and exhibition, in either of the two countries, of unauthorized republications of works or articles defined in the preceding Articles I., II., III., IV., are prohibited, whether such unauthorized republications originate in either of the two countries, or whether they originate in any foreign country.

Art. VII. In the event of an infraction of the provisions of the foregoing Articles, the pirated works or articles shall be seized and destroyed; and the persons who may have committed such infraction shall be liable in each country to the penalties and actions which are or may be prescribed by the laws of that country for such offences, committed in respect of a work or production of home origin.

Art. VIII. Neither authors nor translators, nor their lawful representatives or assigns, shall be entitled in either country to the protection stipulated by the preceding Articles, nor shall copyright be claimable in either country, unless the work shall have been registered in the manner following, that is to say:

1. If the work be one that has first appeared in Belgium, it must be registered at the Hall of the Company of Stationers in London.

2. If the work be one that has first appeared in the dominions of Her Britannic Majesty, it must be registered at the office of the Minister of the Interior at Brussels.

No person shall be entitled to such protection as aforesaid, unless he shall have duly complied with the laws and regulations of the respective countries in regard to the work in respect of which such protection may be claimed. With regard to books, maps, and prints, and also with regard to dramatic works and musical publications, unless such dramatic works and musical publications shall be in manuscript only, no person shall be entitled to such protection, unless he shall have delivered gratuitously, at one or other of the places mentioned above, as the case may be, one copy of the best edition, or in the best state, in order to its being deposited at the place appointed for that purpose in each of the two countries: that is to say, in Great Britain, at the British Museum at London; and in Belgium, at the Royal Library at Brussels.

In every case the formality of deposit and registration must be

fulfilled within three months after the first publication of the work in the other country. With regard to works published in parts, each part shall be treated as a separate work.

A certified copy of the entry in the register-book of the Company of Stationers in London shall confer, within the British dominions, the exclusive right of republication, until a better right shall have been established by any other party before a court of justice.

The certificate given under the laws of Belgium, proving the registration of any work in that country, shall be valid for the same purpose throughout the territories of the kingdom of Belgium.

A certificate or certified copy of the registration of any work so registered in either country shall, if required, be delivered at the time of registration; and such certificate shall state the exact date at which the registration was made.

The charge for the registration of a single work, under the stipulations of this Article, shall not exceed one shilling in England, nor one franc and twenty-five centimes in Belgium; and the further charge for a certificate of such registration shall not exceed the sum of five shillings in England, nor six francs and twenty-five centimes in Belgium.

The provisions of this Article shall not extend to articles which may appear in newspapers or periodicals; which shall be protected from republication or translation simply by a notice from the author, as prescribed by Article V. But if any article or work which has originally appeared in a newspaper or periodical, shall afterwards be published in a separate form, it shall then become subject to the stipulations of the present Article.

Art. IX. With regard to any work of literature or of art other than books, prints, maps, and musical publications, in respect to which protection may be claimable under Article I. of the present convention, it is agreed, that any other mode of registration than that prescribed in the preceding Article, which is or may be applicable by law in one of the two countries to any work or article first published in such country, for the purpose of affording protection to copyright in such work or article, shall be extended on equal terms to any similar work or article, first published in the other country.

Art. X. During the continuance of this convention, the duties now payable upon the lawful importation into the United Kingdom of Great Britain and Ireland of books, prints, drawings, or musical works, published throughout the territories of the Kingdom of Belgium, shall be reduced to and fixed at the rates hereinafter specified; that is to say:

	£	s.	d.
1. On books and musical works . . . the cwt.	0	15	0
2. On prints or drawings, coloured or plain, the lb.	0	0	1½

It is agreed that the rates of duty above specified shall not be raised during the continuance of the present convention; and that if hereafter, during the continuance of this convention, any reduction of those rates should be made in favour of books, prints, drawings, or musical works published in any other country, such reduction shall be at the same time extended to similar articles published in Belgium.

During the continuance of the present convention, the duties now payable on the lawful importation into Belgium, of books, musical works, prints, and maps or charts published throughout the United Kingdom of Great Britain and Ireland, shall be reduced to and fixed at the uniform rate of ten francs the hundred kilogrammes.

Art. XI. It is agreed that no books shall, for the purposes of this convention, so far as relates to the rate of duty at which such books are to be entered, be deemed to have been published in Belgium, except such as appear by their title-page to have been published at some town or place within the dominions of Belgium.

Art. XII. In order to facilitate the execution of the present convention, the two high contracting parties engage to communicate to each other the laws and regulations which may hereafter be established in their respective territories, with respect to copyright in works or productions protected by the stipulations of the present convention.

Art. XIII. The stipulations of the present convention shall in no way affect the right which each of the two high contracting parties expressly reserves to itself, of controlling and of prohibiting, by measures of legislation or of internal police, the sale, circulation, representation, or exhibition of any work or production, in regard to which either country may deem it expedient to exercise that right.

Art. XIV. Nothing in this convention shall be construed to affect the right of either of the two high contracting parties to prohibit the importation into its own dominions, of such books as, by its internal law, or under engagements with other States, are or may be declared to be piracies, or infringements of copyright.

Art. XV. The present convention shall come into operation as soon as possible after the exchange of the ratifications. Due notice shall be given beforehand in each country, by the Government of that country, of the day which may be fixed upon for that purpose, and the stipulations of the convention shall be applicable only to

works and articles published, and to dramatic works or musical compositions represented or executed for the first time in either of the two countries, after the convention shall have come into operation.

The convention shall continue in force for ten years from the day on which it may come into operation; and if neither contracting party shall, twelve months before the expiration of the said period of ten years, give notice of its intention to terminate its operation, the convention shall continue in force for a year longer, and so on from year to year, until the expiration of a year's notice from either contracting party for its termination.

The high contracting parties, however, reserve to themselves the power of making by common consent, in this convention, any modifications which may not be inconsistent with its spirit and principles, and which experience of its working may show to be desirable.

Art. XVI. The present convention shall be ratified, and the ratifications shall be exchanged at London as soon as may be within six months from the date of signature.

CONVENTION BETWEEN HER MAJESTY AND THE KING OF PRUSSIA,
 ADDITIONAL TO THE CONVENTION CONCLUDED AT BERLIN,
 MAY 13, 1846, FOR THE ESTABLISHMENT OF INTERNATIONAL
 COPYRIGHT. *Signed at London, June 14, 1855.*

Art. I. It is agreed that all books, prints, and drawings published within the dominions of any other State that has concluded or may conclude, or which has acceded or may accede to, a Copyright Convention with Great Britain, shall, if exported from Prussia, Saxony, Saxe-Weimar, Saxe-Meiningen, Saxe-Altenburg, Saxe-Coburg-Gotha-Brunswick, Anhalt-Dessau-Cöthen, Anhalt-Bernburg, Schwarzburg-Rudolstadt, Schwarzburg-Sondershausen, or Reuss, be considered, for the purposes of this convention, to have been exported from the country of their publication.

Art. II. The protection granted by the convention which was concluded between the high contracting parties on the 13th of May, 1846, to original works, is extended to translations; it being, however, clearly understood that the intention of the present Article is simply to protect a translator in respect of his own translation, and that it is not intended to confer upon the first translator of any work the exclusive right of translating that work, except in the case and to the extent provided for in the following Article.

Art. III. The author of any work published in either of the two countries, who may choose to reserve the right of translating it, shall, until the expiration of five years from the date of the first publication of the translation thereof authorized by him, be, in the following cases, entitled to protection from the publication in the other country of any translations of such work not so authorized by him :

§ 1. If the original work shall have been registered and deposited in the one country within three months after its first publication in the other ;

§ 2. If the author has notified on the title-page of his work his intention to reserve the right of translating it ;

§ 3. Provided always, that at least a part of the authorized translation shall have appeared within a year after the registration and deposit of the original, and that the whole shall have been published within three years after the date of such deposit ;

§ 4. And provided that the publication of the translation shall take place within one of the two countries, and that it shall be registered and deposited in conformity with the stipulations of Article II. of the convention of the 13th of May, 1846.

With regard to works which are published in parts, it will be sufficient if the declaration of the author that he reserves the right of translation shall appear in the first part. But with reference to the period of five years, limited by this Article for the exercise of the exclusive right of translation, each part shall be treated as a separate work, and each part shall be registered and deposited in the one country within three months after its first publication in the other.

Art. IV. The stipulations of the preceding Articles shall also be applicable to the representation of dramatic works, and to the performance of musical compositions, in so far as the laws of each of the two countries are or shall be applicable in this respect to dramatic and musical works first publicly represented or performed therein.

In order, however, to entitle the author to legal protection in regard to the translation of a dramatic work, such translation must appear within three months after the registration and deposit of the original.

It is understood that the protection stipulated by the present Article is not intended to prohibit fair imitations, or adaptations of dramatic works to the stage in England and Prussia respectively, but is only meant to prevent piratical translations.

The question whether a work is an imitation or a piracy, shall in all cases be decided by the courts of justice of the respective countries, according to the laws in force in each.

Art. V. Notwithstanding the stipulations of Article I. of the convention of the 13th of May, 1846, and of Article II. of the present additional convention, articles extracted from newspapers or periodicals published in either of the two countries, may be republished or translated in the newspapers or periodicals of the other country, provided the source from whence such articles are taken be acknowledged.

Nevertheless, this permission shall not be construed to authorize the republication or translation in one of the two countries, of articles from newspapers or periodicals published in the other country, the authors of which shall have notified in a conspicuous manner in the journal or periodical in which such articles have appeared, that they forbid the republication thereof.

This last stipulation shall not, however, apply to articles of political discussion.

Art. VI. The present additional convention shall come into operation as soon as possible after the exchange of the ratifications thereof. Due notice shall be given beforehand in each country by the Government of that country, of the day which may be fixed upon for its so coming into operation, and its stipulations shall apply only to works published after that day.

Art. VII. The present additional convention shall have the same duration as the convention of the 13th May, 1846. It shall be ratified, and the ratifications shall be exchanged at London as soon as may be within two months from the date of signature.

CONVENTION BETWEEN HER MAJESTY AND THE QUEEN OF SPAIN, FOR THE ESTABLISHMENT OF INTERNATIONAL COPYRIGHT. *Signed at Madrid, July 7, 1857.*

Art. I. From and after the date on which, according to the provisions of Article XIII., the present convention shall come into operation, the authors of works of literature or of art, to whom the laws of either of the two countries do now or may hereafter give the right of property, or copyright, shall be entitled to exercise that right in the territories of the other of such countries for the same term, and to the same extent, as the authors of works of the same nature, if published in such other country, would therein be entitled to exercise such right; so that the republication or piracy, in either country, of any work of literature or of art published in the other shall be dealt with in the same manner as the republication or piracy of a work of the same nature first published in such

other country; and so that such authors in the one country shall have the same remedies before the courts of justice in the other country, and shall enjoy in that other country the same protection against piracy and unauthorized republication, as the law now does or may hereafter grant to authors in that country.

The terms "works of literature or of art," employed at the beginning of this Article, shall be understood to comprise publications of books, of dramatic works, of musical compositions, of drawing, of painting, of sculpture, of engraving, of lithography, and of any other works whatsoever of literature and of the fine arts.

The lawful representatives or assigns of authors, translators, composers, painters, sculptors, or engravers, shall, in all respects, enjoy the same right which by the present convention are granted to the authors, translators, composers, painters, sculptors, or engravers themselves.

Art. II. The protection granted to original works is extended to translations, it being, however, clearly understood that the intention of the present Article is simply to protect a translator in respect of his own translation, and that it is not intended to confer upon the first translator of any work the exclusive right of translating that work, except in the case and to the extent provided for in the following Article.

Art. III. The author of any work published in either of the two countries, who may choose to reserve the right of translating it, shall, until the expiration of five years from the date of the first publication of the translation thereof authorized by him, be, in the following cases, entitled to protection from the publication in the other country of any translation of such work not so authorized by him:—

§ 1. If the original work shall have been registered and deposited in the one country within three months after its first publication in the other;

§ 2. If the author has notified on the title-page of his work his intention to reserve the right of translating it;

§ 3. Provided always, that at least a part of the authorized translation shall have appeared within a year after the registration and deposit of the original, and that the whole shall have been published within three years after the date of such deposit;

§ 4. And provided that the publication of the translation shall take place within one of the two countries, and that it shall be registered and deposited according to the provisions of Article VIII.

With regard to works which are published in parts, it will be sufficient if the declaration of the author that he reserves the

right of translation shall appear in the first part. But with reference to the period of five years limited by this Article for the exercise of the exclusive right of translation, each part shall be treated as a separate work, and each part shall be registered and deposited in the one country within three months after its first publication in the other.

Art. IV. The stipulations of the preceding Articles shall also be applicable to the representation of dramatic works, and to the performance of musical compositions, in so far as the laws of each of the two countries are or shall be applicable in this respect to dramatic and musical works first publicly represented or performed therein.

In order, however, to entitle the author to legal protection in regard to the translation of a dramatic work, such translation must appear within three months after the registration and deposit of the original.

It is understood that the protection stipulated by the present Article is not intended to prohibit fair imitations or adaptations of dramatic works to the stage in England and Spain respectively, but is only meant to prevent piratical translations.

The question whether a work is an imitation or a piracy shall in all cases be decided by the courts of justice of the respective countries, according to the laws in force in each.

Art. V. Notwithstanding the stipulations of Articles I. and II. of the present convention, articles extracted from newspapers or periodicals published in either of the two countries may be republished or translated in the newspapers or periodicals of the other country, provided the source from whence such articles are taken be acknowledged.

Nevertheless, this permission shall not be construed to authorize the republication in one of the two countries of articles other than those of political discussion, from newspapers or periodicals published in the other country, the authors of which shall have notified in a conspicuous manner in the journal or periodical in which such articles have appeared, that they forbid the republication thereof.

Art. VI. The importation into and the sale in either of the two countries of piratical copies of works which are protected from piracy under Articles I., II., III., and V. of the present convention are prohibited, whether such piratical copies originate in the country where the work was published or in any other country.

Art. VII. In the event of an infraction of the provisions of the foregoing articles, the pirated works or articles shall be seized and destroyed; and the persons who may have committed such infraction shall be liable in each country to the penalties and actions

which are or may be prescribed by the laws of that country for such offences, committed in respect of a work or production of home origin.

Art. VIII. Neither authors, nor translators, nor their lawful representatives or assigns, shall be entitled in either country to the protection stipulated by the preceding Articles, nor shall copyright be claimable in either country, unless the work shall have been registered in the manner following, that is to say:—

1. If the work be one that has first appeared in Spain it must be registered at the Hall of the Company of Stationers in London;

2. If the work be one that has first appeared in the dominions of Her Britannic Majesty, it must be registered at the Ministry of Public Works (*Ministerio de Fomento*) at Madrid.

No person shall be entitled to such protection as aforesaid unless he shall have duly complied with the laws and regulations of the respective countries in regard to the work in respect of which such protection may be claimed. With regard to books, maps, and prints, and also with regard to dramatic works and musical compositions (unless such dramatic works and musical compositions shall be in manuscript only), no person shall be entitled to such protection unless he shall have delivered gratuitously, at one or other of the places mentioned above, as the case may be, one copy of the best edition, or in the best state, in order to its being deposited at the place appointed for that purpose in each of the two countries: that is to say, in Great Britain, at the British Museum at London; and in Spain, at the National Library at Madrid.

In every case the formality of deposit and registration must be fulfilled within three months after the first publication of the work in the other country. With regard to works published in parts, each part shall be treated as a separate work.

A certified copy of the entry in the register-book of the Company of Stationers in London shall confer, within the British dominions, the exclusive right of republication until a better right shall have been established by any other party before a court of justice.

The certificate given under the laws of Spain, proving the registration of any work in that country, shall be valid for the same purpose throughout the territories of Her Catholic Majesty.

A certificate or certified copy of the registration of any work so registered in either country shall, if required, be delivered at the time of registration, and such certificate shall state the exact date at which the registration was made.

The charge for the registration of a single work, under the stipulations of this Article, shall not exceed one shilling in England, nor five rials vellon in Spain; and the further charge

for a certificate of such registration shall not exceed the sum of five shillings in England, nor twenty-five rials vellon in Spain.

The provisions of this Article shall not extend to articles which may appear in newspapers or periodicals, which shall be protected from republication or translation simply by a notice from the author, as prescribed by Article V. But if any article or work which has originally appeared in a newspaper or periodical shall afterwards be published in a separate form, it shall then become subject to the stipulations of the present Article.

Art. IX. With regard to any article other than books, prints, maps, and musical publications, in respect to which protection may be claimable under Article I. of the present convention, it is agreed that any other mode of registration than that prescribed in the preceding Article, which is or may be applicable by law in one of the two countries to any work or article first published in such country, for the purpose of affording protection to copyright in such work or article, shall be extended on equal terms to any similar work or article first published in the other country.

Art. X. In order to facilitate the execution of the present convention, the two high contracting parties engage to communicate to each other the laws and regulations which may hereafter be established in their respective territories, with respect to copyright in works or productions protected by the stipulations of the present convention.

Art. XI. The stipulations of the present convention shall in no way affect the right which each of the two high contracting parties expressly reserves to itself, of controlling or of prohibiting, by measures of legislation or of internal police, the sale, circulation, representation or exhibition of any work or production in regard to which either country may deem it expedient to exercise that right.

Art. XII. Nothing in this convention shall be construed to affect the right of either of the two high contracting parties to prohibit the importation into its own dominions of such books as, by its internal law, or under engagements with other States, are or may be declared to be piracies, or infringements of copyright.

Art. XIII. The present convention shall come into operation as soon as possible after the exchange of the ratifications. Due notice shall be given beforehand in each country, by the Government of that country, of the day which may be fixed upon for its coming into operation; and the stipulations of the convention shall apply only to works or articles published after that day.

The convention shall continue in force for six years from the day on which it may come into operation; and if neither party shall, twelve months before the expiration of the said period of six years, give notice of its intention to terminate its operation, the convention

shall continue in force for a year longer, and so on from year to year, until the expiration of a year's notice from either party for its termination (a).

The high contracting parties, however, reserve to themselves the power of making by common consent, in this convention, any modifications which may not be inconsistent with its spirit and principles, and which experience of its working may show to be desirable.

Art. XIV. The present convention shall be ratified, and the ratifications shall be exchanged at Madrid as soon as may be within three months from the date of signature.

Declaration.

The undersigned plenipotentiaries of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and of Her Majesty the Queen of Spain, authorized for this purpose by their respective Sovereigns, declare, for the purpose of facilitating the customs service in the execution of a part of the convention for the protection of literary property which they have this day signed, that, in order to make the origin of works published in either of the two countries evident, there shall appear in their title-page the city or place of their publication.

(L.S.) HOWDEN.

(L.S.) EL. MARGS. DE PIAL.

CONVENTION BETWEEN HER MAJESTY AND THE KING OF SAR-
DINIA, FOR THE ESTABLISHMENT OF INTERNATIONAL COPY-
RIGHT. *Signed at Turin, November 30, 1860.*

Art. I. From and after the date on which, according to the provisions of Article XIV., the present convention shall come into operation, the authors of works of literature or of art, to whom the laws of either of the two countries do now or may hereafter give the right of property, or copyright, shall be entitled to exercise that right in the territories of the other of such countries for the same term, and to the same extent, as the authors of works of the same nature, if published in such other country, would therein be entitled to exercise such right; so that the republication or piracy, in either country, of any work of literature or of art published in the other, shall be dealt with in the same manner as the republication or piracy of a work of the same nature first published in such other country; and so that authors in the one country shall have the same remedies before the courts of justice in the other country,

(a) This treaty expired on the 17th March, 1880, and a new treaty has been entered into, but is not yet printed.

and shall enjoy in that other country the same protection against piracy and unauthorized republication, as the law now does or may hereafter grant to authors in that country.

The terms "works of literature or of art," employed at the beginning of this Article, shall be understood to comprise publications of books, of dramatic works, of musical compositions, of drawing, of painting, of sculpture, of engraving, of lithography, and of any other works whatsoever of literature and of the fine arts.

The lawful representatives or assigns of authors, translators, composers, painters, sculptors, or engravers, shall, in all respects, enjoy the same rights which by the present convention are granted to the authors, translators, composers, painters, sculptors, or engravers themselves.

Art. II. The protection granted to original works is extended to translations; it being, however, clearly understood that the intention of the present Article is simply to protect a translator in respect of his own translation, and that it is not intended to confer upon the first translator of any work the exclusive right of translating that work, except in the case and to the extent provided for in the following Article.

Art. III. The author of any work published in either of the two countries, who may choose to reserve the right of translating it, shall, until the expiration of five years from the date of the first publication of the translation thereof authorized by him, be, in the following cases, entitled to protection from the publication in the other country of any translation of such work not so authorized by him:—

1. If the original work shall have been registered and deposited in the one country within three months after its first publication in the other;

2. If the author has notified on the title-page of his work his intention to reserve the right of translating it;

3. Provided always, that at least a part of the authorized translation shall have appeared within a year after the registration and deposit of the original, and that the whole shall have been published within three years after the date of such deposit;

4. And provided that the publication of the translation shall take place within one of the two countries, and that it shall be registered and deposited according to the provisions of Article VIII.

With regard to works published in parts, it will be sufficient if the declaration of the author that he reserves the right of translation shall appear in the first part. But with reference to the period of five years limited by this Article for the exercise of the exclusive right of translation, each part shall be treated as a separate work, and each part shall be registered and deposited in

the one country within three months after its first publication in the other.

Art. IV. The stipulations of the preceding Articles shall also be applicable to the representation of dramatic works, and to the performance of musical compositions, in as far as the laws of each of the two countries are or shall be applicable in this respect to dramatic and musical works first publicly represented or performed therein.

In order, however, to entitle the author to legal protection in regard to the translation of a dramatic work, such translation must appear within three months after the registration and deposit of the original.

It is understood that the protection stipulated by the present Article is not intended to prohibit fair imitations or adaptations of dramatic works to the stage of the respective countries, but is only meant to prevent piratical translations.

The question whether a work is an imitation or a piracy shall in all cases be decided by the courts of justice of the respective countries, according to the laws in force in each.

Art. V. Notwithstanding the stipulations of Articles I. and II. of the present convention, articles extracted from newspapers or periodicals published in either of the two countries may be republished or translated in the newspapers or periodicals of the other country, provided the source from whence such articles are taken be acknowledged.

Nevertheless, this permission shall not be construed to authorize the republication in one of the two countries of articles other than those of political discussion, from newspapers or periodicals published in the other country, the authors of which shall have notified in a conspicuous manner in the journal or periodical in which such articles have appeared that they forbid the republication thereof.

Art. VI. The importation into and the sale in either of the two countries of piratical copies of works which are protected from piracy under Articles I., II., III., and V. of the present convention are prohibited, whether such piratical copies originate in the country where the work was published or in any other country.

Art. VII. In the event of an infraction of the provisions of the foregoing Articles, the pirated works or articles shall be seized and destroyed; and the persons who may have committed such infraction shall be liable in each country to the penalties and actions which are or may be prescribed by the laws of that country for such offences, committed in respect of a work or production of home origin.

Art. VIII. Neither authors, nor translators, nor their lawful representatives or assigns, shall be entitled in either country to the protection stipulated by the preceding Articles, nor shall copyright be claimable in either country, unless the work shall have been registered in the manner following, that is to say:—

1. If the work be one that has first appeared in the dominions of His Sardinian Majesty, it must be registered at the Hall of the Company of Stationers in London (*Stationers' Hall*);

2. If the work be one that has first appeared in the dominions of Her Britannic Majesty, it must be registered at the Ministry of the Interior (*Ministero dell' Interno*) at Turin.

No person shall be entitled to such protection as aforesaid, unless he shall have duly complied with the laws and regulations of the respective countries in regard to the work in respect of which such protection may be claimed. With regard to books, maps, and prints, and also with regard to dramatic works and musical compositions (unless such dramatic works and musical compositions shall be in manuscript only), no person shall be entitled to such protection unless he shall have delivered gratuitously, at one or other of the places mentioned above, as the case may be, one copy of the best edition, or in the best state, in order to its being deposited at the place appointed for that purpose in each of the two countries: that is to say, in the dominions of Her Britannic Majesty, at the British Museum in London; and in the dominions of His Sardinian Majesty, at the Ministry of the Interior (*Ministero dell' Interno*) at Turin.

In every case, the formality of deposit and registration must be fulfilled within three months after the first publication of the work in the other country. With regard to works published in parts, each part shall be treated as a separate work.

A certified copy of the entry in the register book of the Company of Stationers in London shall confer, within the British dominions, the exclusive right of republication, until a better right shall have been established by any other party before a court of justice.

The certificate given under the laws of the States of His Sardinian Majesty, proving the registration of any work in that country, shall be valid for the same purpose throughout the above-mentioned States.

A certificate or certified copy of the registration of any work so registered in either country shall, if required, be delivered at the time of registration; and such certificate shall state the exact date at which the registration was made.

The charge for the registration of a single work, under the stipulations of this Article, shall not exceed one shilling in England, nor one franc twenty-five centimes in the States of His Sardinian

Majesty; and the further charge for a certificate of such registration shall not exceed the sum of five shillings in England, nor six francs and twenty-five centimes in the States of His Sardinian Majesty.

The provisions of this Article shall not extend to articles which may appear in newspapers or periodicals; which shall be protected from republication or translation simply by a notice from the author, as prescribed by Article V. But if any article or work which has originally appeared in a newspaper or periodical shall afterwards be published in a separate form, it shall then become subject to the stipulations of the present Article.

Art. IX. With regard to any article other than books, prints, maps, and musical publications, in respect to which protection may be claimable under Article I. of the present convention, it is agreed, that any other mode of registration than that prescribed in the preceding Article, which is or may be applicable by law in one of the two countries to any work or article first published in such country, for the purpose of affording protection to copyright in such work or article, shall be extended on equal terms to any similar work or article first published in the other country.

Art. X. It is agreed that if by any convention for the protection of copyright in works of literature or of art, greater favours than those stipulated by the present convention should be accorded by either of the high contracting parties to a third power, the same advantages shall be extended to the other party on the same conditions.

Art. XI. In order to facilitate the execution of the present convention, the two high contracting parties engage to communicate to each other the laws and regulations which may hereafter be established in their respective territories, with respect to copyright in works or productions protected by the stipulations of the present convention.

Art. XII. The stipulations of the present convention shall in no way affect the right which each of the two high contracting parties expressly reserves to itself, of controlling or prohibiting, by measures of legislation or of internal police, the sale, circulation, representation, or exhibition of any work or production in regard to which either country may deem it expedient to exercise that right.

Art. XIII. Nothing in this convention shall be construed to affect the right of either of the two high contracting parties to prohibit the importation into its own dominions of such books as, by its internal law, or under engagements with other States, are or may be declared piracies, or infringements of copyright.

Art. XIV. The present convention shall come into operation as soon as possible after the exchange of the ratifications. Due notice shall be given beforehand in each country, by the Government of

that country, of the day which may be fixed upon for its coming into operation: and the stipulations of the convention shall apply only to works or articles published after that day.

The convention shall continue in force for six years from the day on which it may come into operation; and if neither party shall, twelve months before the expiration of the said period of six years, give notice of its intention to terminate its operation, the convention shall continue in force for a year longer, and so on from year to year, until the expiration of a year's notice from either party for its termination.

The high contracting parties, however, reserve to themselves the power of making by common consent, in this convention, any modifications which may not be inconsistent with its spirit and principles, and which experience of its working may show to be desirable.

Art. XV. The present convention shall be ratified, and the ratifications shall be exchanged at Turin, as soon as may be within three months from the date of signature.

INDEX.

ABANDONMENT

- of title of periodical, 75
 - in France, 75, note (c)
- of copyright, 133
 - no presumption of, by book being out of print, 133
 - no, by mere expression of opinion, 253
- whether right of representation of dramatic piece in MS. lost by printing, 321
- circulation among pupils of a system of bookkeeping not an, 111, 112

ABODE : *see also* NAME AND ABODE.

- given in England of author being abroad in entry, 139
- of assignee, 139, 140.

ABOLITION OF STAR-CHAMBER, 21

'A BOY'S ADVENTURES IN THE WILDS OF AUSTRALIA,' 606-608

ABRIDGMENT,

- what is an, 59, 202, 298
- distinction between compilation and, 202
- shortening a work by leaving out unimportant parts not an, 59, 60, 207
- principles by which to test whether, be fair, 60
- effect of, on original work, 201
- arrangement must be adopted to be a faithful, 62, 202
- copyright in an, 59, 202
- Mr. Curtis's view of an, 61, 202, note (b)
- Vice-Chancellor Wood's opinion as to an, 61, 209
- judicial *dicta* that *bonâ fide*, not piratical, 59, 60, 201
- of dramatic pieces, 34, 298
- of law reports, 195, 207, 208
- of Acts of Parliament, 283
- of Dr. Johnson's *Rasselas*, 203
- of an imaginative work, 207
- Viner's, 63, note (a), 206
- Comyns', 206
- Rolle's, 281
- Story's Commentaries infringed by, 205
- infringement of copyright by, 83, 201-208
- test of originality of, 59, 202
- may answer the purpose of an advertisement, 204, and note (a)

ABRIDGMENT—continued.

extent to which held good in America, 205
 suggestions of Copyright Commissioners as to, 62, note (a)

'ABRIDGMENT OF CASES IN EQUITY,' 207

ABROAD,

publication, prevents copyright in this country, 112, 113, 323, 324, 331, 472, 505

except under International treaties, 331

simultaneous, and in this country, 113, 117, note (e), 125, note (a)

work composed, by Englishmen, protected if first published here, 115

residence, by Englishmen at time of publication does not affect copyright, 114

whether foreigner resident, can obtain copyright here, 116, 117, 118, 125, note (a), 170.

assignment by foreigner, to an Englishman, 168

articles sold, without registration mark, 429.

ABSTRACT,

an, no piracy, 59, note (b)

of title, copyright in, 46, note (b)

ACCOUNT,

incident to remedy in equity, 268

need not be specifically prayed, 270

right to, dependent on right to injunction, 269, 270

usually waived, 268, 271

has reference to past as well as future transactions, 270

plaintiff entitled to profits from sales on commission of piratical copies, 270

defendant ordered to pay net profits in equity, 261, 270

when ordered to be kept by defendant, 254

between authors and publishers, 612

ACQUIESCENCE,

not presumed where there is no knowledge, 134

in infringement fatal to subsequent action, 134

plaintiff may forfeit rights by delay or laches, 248, 249

” ” five months' delay, 249

” ” tendency of modern decisions, 250

right not prejudiced by custom, 82, 83, 194, 196, 248

not responsible for delay when ignorant of piracy, 134

delay may be explained, 249

injunction not granted generally where there has been, 252, 266

no proof of assignment, 266

ACTION : see also DAMAGES (ACTION FOR)

for importing pirated copies, 217-221, 638

for recovery of penalties, 223, 224, 641

” of copies pirated 225, 640

” of value of copies sold, 225

” of damages for performing play, 230, 627

for infringing airs in an opera, 230

for false representation as to the registry of a design, 427, note (a)

for damages under Designs Act, 441

ACTION—continued.

In the County Court: *see* COUNTY COURT.

In, notice of objection to plaintiff's title to be given, 227, 637

amending notice of objection, 227

proprietor need not aver that defendant published plaintiff's book, 231

where *locus* of infringement not stated, plaintiff may amend, 231

what defendant may plead, 228, 641

” give in evidence, 228, 641

for infringement no defence to plead name and address of printer omitted, 231

security for costs, 232

where venue to be laid, 230

evidence in, for plaintiff under Engraving Acts, 378

of offer to compromise, 231

every, to be commenced within certain time: *see* LIMITATION OF TIME.

no, to be brought until registration, 145

if, can be maintained, then injunction will be granted, 239

maintainable for not supplying work agreed to be furnished, 580

cannot be maintained for printing obscene book, 580

what sufficient defence to, for not performing agreement to write, 584,

note (c)

on the case: *see* REMEDIES FOR INFRINGEMENT.

ACTS OF CONGRESS: *see* APPENDIX (B.)

ACTS OF PARLIAMENT: *see* STATUTES.

right to print, 280

abridgment of, 283

published with notes, 286

ADAPTATION: *see* IMITATIONS,

what is a fair, 481, 485

of music, *see* MUSICAL COMPOSITIONS.

by changing to a dance, 211

of old songs, 345, 346

of old play, 311

of quotations, copyright in, 216

from operas, 343

an, may be made under the International Copyright Act, 481, 687, 707

ADDITIONS,

copyright in, 39

to constitute new book, 102

small, do not constitute joint authorship, 130, 131, 132

Gray's poems published with, 39

Patterson's Road Book published with, 39, 40

ADVERTISEMENTS,

no copyright in, of place and kind of business, 97

illustrated furniture guide, 98

principles on which copyright in, depend, 100

no excuse for piracy to say work acts as, 204, note (a)

'AFTER DARK,' 327

"AGGRIEVED PERSONS:" *see* "PERSONS AGGRIEVED;" REGISTRATION.

'AGREEABLE SURPRISE,' (THE), 296

AGREEMENT,

- between authors and publishers, 575, 578
 - ” ” should be in writing, 578, 579
 - ” ” construction of, 594
 - ” ” ordinary, not a partnership, 605
- forms of, between authors and publishers:—
 - for sale of copyright, 749
 - half-profit agreement, 749, 750
 - licence to print one edition, 751
 - limited assignment of a new edition, 751
 - for enlarging second edition of book, 752
 - for sale of a work where sum paid for copyright, 752
 - variations where profits divided, 752
 - by commission, 753
 - for editing of a work, with variations for translating a work, 754
 - to write an opera, 756
- forms under 25 & 26 Vict. c. 68, *see* 758, 759
- between manager of theatre and actor, 583
- for division of profits, 595
 - when a joint adventure, 599
 - not assignable, 596, 597
 - terminable by notice, when, 599, 603
- for payment to authors of article in periodical work, not sufficient to vest copyright, 76 note, (a)
- for publication of specified number of copies, 591
- terms of, should be clearly stated, 603
- as to style of publication, 591
- not to write on particular subject, 583
- not to sell under a certain price, 603
- to supply work, 578
 - no specific performance decreed, 581
- as to copyright under 25 & 26 Vict. c. 68 .. 390
 - require a 6d. stamp, 390, note (a)
- a mere publishing, not assignable, 597, 598
- construction of the word “Edition,” 102, 605.

ALBERT'S (PRINCE) CASE, 11

ALIEN: *see* FOREIGNER.

ALMANACS,

- right to print generally, 286
 - ” the Nautical, 289
- title page of, 68, note (c)
- cannot be wholly original, 174
- sale of a sheet, printed from directory restrained, 178
- “Gadbury's,” 286.

ALTERATION,

- of author's work by another, 588
 - when written under the name of another, 588, 589
- sufficient to constitute new work, 102
- slight, of another's work, does not constitute joint authorship, 130, 131, 132
- infringement of copyright by colourable, 196, 201

ALTERATION—continued.

of dramatic piece, 298, 311

in the law suggested by Copyright Commissioners: *see* COPYRIGHT COMMISSIONERS.

AMENDMENT

of register under Copyright Act, 1842.. 636

Designs Act, 448, 652

law: *see* COPYRIGHT COMMISSIONERS.

AMERICA: *see* UNITED STATES.

AMOUNT,

of matter essential to copyright, piracy, &c.: *see* QUANTUM; VALUE.

ANHALT JOINS THE INTERNATIONAL CONVENTION, 506

ANIMUS FURANDI, WHAT, 173, and note (*b*)

ANNE, STATUTE OF, 25, 26, 613

assignment under, 161

extended in effect, 122

ANNOTATION: *see* NOTES.

ANONYMOUS WORKS, 109

registration of, under International Copyright Act, 477, 674

ANTIGUA

adopts the provisions of the 10 & 11 Vict. c. 95., 499

'APOLOGY FOR THE LIFE OF GEORGE ANNE BELLAMY,' 204

APPOINTMENT OF REGISTRAR UNDER DESIGNS ACTS: *see* REGISTRATION.

'ARCHÆOLOGIA PHILOSOPHICA,' BY BURNETT, 212

ARCHITECTURAL DESIGN

protected under the 25 & 26 Vict. c. 68, 389, note (*b*)

ARGENTINE REPUBLIC,

no copyright law in the, 568

ARITHMETIC, INSTANCE OF PIRACY OF, 199

ARRANGEMENT,

copyright in, 38, 43, 63, 174, 215

of poems, 39, 43

of book of roads, 39

of account of natural curiosities, &c., 40

of works of art, 40

of matters of statistical information, 40

of maps, 41

of receipt books, 41

must be adopted in abridging a work, to be a faithful abridgment, 62, 202

component parts of a compilation not protected apart from the, 42, 215

where, copied materials being different, 215

and materials both copied, 215

ARRANGEMENTS: *see* AGREEMENTS.

ARTICLES : *see also* **ENCYCLOPEDIAS**; **NEWSPAPERS**; **PERIODICAL PUBLICATIONS**.
 copyright in, for reviews, &c., 75, 76, 593, 638
 newspapers, 470, 638
 for newspapers may be withdrawn, 51
 but need not be preserved by editors, 52
 of political discussion may be translated from foreign newspapers, 480,
 687
 exhibited at exhibitions, 451
 registration of design by sample of, 417, 418
 provisionally registered: *see* **PROVISIONAL REGISTRATION**.

ARTISTS'

sketches and studies, 407, 408
replicas of, 408

ARTS: *See* **DESIGNS**; **DRAWINGS**; **ENGRAVINGS**; **FINE ARTS**; **PAINTINGS**;
PHOTOGRAPHS; **SCULPTURE**.

ASSIGNEES

of copyright, 115, 157, 158, 159
 of manuscript, 8, note (a)
 of foreign authors, 117, note (e), 118
 of works first published abroad not protected, 116
 of author before publication, right to publish, 11, 117, and note (e)
 who are, 158
 difference between licensees and, 161, note (b), 171
 rights of, under a commission in bankruptcy, 157, 158
 registration by, 140
 title should be stated in bill for injunction, 235
 what passes to, by assignment under 22nd section of 5 & 6 Vict. c. 45..
 317, 318
 claim by, what must be shewn, 265
 instance where, by parol obtained injunction, 265, note (a)
 may claim penalties under 3 Will. 4, c. 15, though assignment not by
 deed, 316
 may maintain action for piracy of engravings, 375
 may sue for penalties under 25 & 26 Vict. c. 68, before assignment has
 been registered, 395
 though previous assignments have not been registered, 395

ASSIGNMENT OF COPYRIGHT,*Literary Copyright,*

will not be presumed, 159
 may be limited to licence for particular purpose, 392
 agreement for division of profits not an, 595, 596
 not effected by mortgage of share in newspaper, 466
 under the statute of Anne, 161
 by a foreigner, 117, note (e), 118, 168
 does not prevent assignor selling stock on hand, 170, 606, 608
 by entry on register under 5 & 6 Vict. c. 45 .. 136, 164, 636
 stamp, 136, 164
 by delivery of manuscript, 158
 as to whether need be in writing, 159, 160, 165
 instance where person claiming under parol, obtained an injunction,
 265, note (a)
 licence to publish is not an, 171
 difference between, and licence, 161 note (c)

ASSIGNMENT OF COPYRIGHT—*continued.**Literary Copyright—continued.*

whether necessary to be attested, 162, 163, 164, note (c), 165

how far receipt for purchase-money will operate as, 165

may be made by letter, 165

partial as to locality, 166

„ time, 167

absence of, must be specially pleaded, 170

effect of statement by plaintiff that he had, 170

after, author cannot produce substantially same work, 171

forms under Act, 749, 750

of limited, under Act, 751

for certain number of years, 168

share in, 171

acquiescence no proof of, 268

Dramatic Copyright, Chap. XI., 640

of right of representation, 316

must be in writing, 318

need not be made by deed, 316

express, need not be registered, 317, 318

but assignment intended to include this right must be registered,
317

what words will act as an, 318, note (e)

on, right of representation does not pass, 168, 640

not necessary when one person composes for another, 319, 320

*Engravings and prints, 375**In sculpture, 384**In paintings, drawings, and photographs, 391*

where limited in effect, 392

In designs, 430, 648

ornamental, 733

fees on, 736

form of, 430, 648

must be in writing, 165, note (a), 431

entry of, 431, 648

useful, 742

fees on, 743

provisionally registered, 738

fees on, 738

no time should elapse between, in designs and registration, 432

effect of bankruptcy of transferor between, of design and registration,
432

ASSIGNOR,

right of, to sell copies in his possession after assignment, 170, 171, 606,
608

ATTESTATION

to assignment of copyright, 161

not now necessary, 164, note (e), 165

AUBER'S OPERA 'FRA DIAVOLO,' 142

"LESTOCQ," 209

'AUROBA FLOYD,' 765, see *Tinsley v. Lacy.*

AUTHOR—continued.

- publisher bound to observe agreement with, as to style of publication, 591
- as to alteration of work of, by another, 588
- action may be maintained against, for not supplying work agreed to be furnished, 580
 - but specific performance not decreed, 581
- should work be stopped, must be paid for work done, 580, 581
- payment to representative of, for work done, 580, 581
- who is, within meaning of Act, 115
 - of a dramatic work, 127
 - a joint, 130, 131, 133, note (a), 321
 - under International Copyright Acts, 490
- if Englishman may be resident abroad, 114, 115
- if foreigner must be in British dominions, 116, 121, 122, 123
- alien, how may acquire copyright here, 116
- simultaneous publication by, abroad and in this country, 113, 117, note (e), 129, note (a)
- arranger of music is the, of arrangement, 130, 319, 320
- consent of, to performance of his dramatic piece, 302

BAHAMAS (THE),

- adopts the provisions of the 10 & 11 Vict. c. 95 .. 499

BANKRUPTCY

- of author, 157
- of stereotype founder and sale of plates does not pass the copyright, 157
- what passes on, to trustees, 157
 - MSS. do not, 157
 - but copyright of printed work does, 157
- whether copyright will pass on, without writing, 157, 158, 157, note (a)
- rights of assignee under contract of bankrupt publisher, 157
- rights of author under agreement after publisher's bankruptcy, 157, 611

BARBADOES ADOPT THE PROVISIONS OF THE 10 & 11 VICT. c. 95 .. 499**BARS OF MUSIC,**

- how many constitute a phrase, 210, 211
- seventeen, pirated, 210
- eight, pirated, 211

' BATH CHRONICLE,' 156**BEETON'S ' CHRISTMAS ANNUAL,' 761****BELGIUM**

- international copyright with, 506
- Literary copyright in*, 525
 - duration, 525
 - penalty for infringement, 525
 - registration, 525
 - what protected, 525
 - assignment, 525
- Dramatic and musical works*, 525
 - right of representation, 525
- Artistic copyright*, 526
 - rights of foreigners, 526
- proposed alteration of law of copyright in, 526, note (a)

'BELGRAVIA ANNUAL,' 254

'BELGRAVIA MAGAZINE,' 66, 143, 194, 254

BELLINI'S 'SONNAMBULA,' 166

'BELL'S LIFE IN LONDON,' 69, 761

'BELSHAZZAR'S FEAST,' MARTIN'S PICTURE, 374

BENEDICT'S PART SONG, 'THE WREATH,' 216

BEQUEST

of copyright, 156

in default of, will devolve in England to personal representatives, 156, 641

BERMUDA

adopts the provisions of the 10 & 11 Vict. c. 95.. 499

BIBLE,

copyright of, in the Crown, 274, 276

on what ground, 274, 276

view taken in Ireland, 277

„ „ England, 278

notes to the, 277

translation of books of the, 277

publication of separate books of the, 277

no prerogative copyright in the Hebrew, 274

nor in the Septuagint, 274

„ New Testament, 274

letters patent to King's printer (Scotland) concerning the, 276, note (b)

'BIRD'S-EYE VIEW AND PLAN OF PARIS AND ITS FORTIFICATIONS,' 361, 765 :
see Stannard v. Harrison.

BLACKSTONE'S COMMENTARIES, 64

BLASPHEMOUS PUBLICATION,

whether author may prevent publication of a, in MS., 85, 92

or recover damages, 87

not entitled to copyright, 84

BOARD OF TRADE,

formerly empowered to extend period of protection to designs, 413, 683

directions issued by, for registration, 413

since issued by Commissioners of Patents, Appendix (D)

all powers of, now vested in Commissioners of Patents, 452, 715, 716

BODLEIAN LIBRARY (OXFORD) : *see* UNIVERSITIES.

"BONÂ FIDE,"

abridgment, what, 60, 201, 202

quotations what, 174, 187, 216

notes, 277, 286 : *see* NOTES.

'BON SOIR,' 248

BONE, COPYRIGHT IN ARTICLES MADE FROM, 412, 683

BOOK,

- definition of, 110, 145, 148, 294, 359, 459, 632
- diagram a, 100
- includes maps, 110
- label not a, 100
- newspaper not a, 459
- title part of, 68
- each part of a periodical a, 82
- separate article advertised to form part of a periodical not a, 110
- of registry : *see* REGISTRATION.
 - open to inspection, 135, 291
 - making false entry in, 136
 - expunging or varying entry in, 141, 636
- copy of every, for British Museum, 114, 151, 634
 - „ the Universities, 151, 634
 - origin of claim, 152, 153
 - distinction between copy of, for different libraries, 151, 152
 - penalty for not delivering, to libraries, 151, 152
 - in America to the Smithsonian Institute, 153, note (a)
 - now, to library of Congress, 720
- on every, to be printed name and abode of printer, 231, 457
 - what to be printed at the Universities, 291
- alterations sufficient to constitute new, 102
- written by one for another, 126, 128
- out of print, copyright not presumed to be abandoned, 133
- having been parted with by author cannot be substantially reproduced; 171
- new editions of, 101, 105
- written by foreigner and published abroad not formerly entitled to copyright, 472
 - otherwise under International Copyright Act, 473
- duration of copyright in : *see* TERM OF COPYRIGHT.

BOOK OF COMMON PRAYER : *see* PRAYER BOOK.

'BOOK OF THE POETS,' 188, 764 : *see* *Campbell v. Scott*.

BOOK-KEEPING,

- circulation among pupils of a system of, not a publication, 111

BOOKS,

- Privy Council may license the publication of any, 109, 633
- International Copyright Act, 1837, refers solely to, 473
- importation of, 27, 114, 217, 221, 638, 708, 718
- copyright in catalogues of, 96
 - published before Copyright Act, 1842.. 108
- on hand may be sold after assignment, 170, 171
- colourably shortened, 196-201
- law, copyright in, 280, 281
- suggestion of Copyright Commissioners as to delivery of, to libraries, 154, 155
- delivery of, to British Museum : *see* BRITISH MUSEUM.
- new edition of : *see* EDITION.

BOOKSELLERS : *see also* PUBLISHERS.

- lien on books already printed for cost of production, 157

BOOKSELLERS' CATALOGUES: *see* CATALOGUES.

BOUCICAULT'S

'The Colleen Bawn,' 299

'The Shaughraun,' 333

BOUNDARIES

of townships shewn on maps, 65, note (a)

'BOW BELLS,' 372

BRAZIL,

copyright in, 567

term of, 567

foreign books have no protection in, 567

BREACH OF CONFIDENCE: *see* PRIVATE LETTERS.

BREACH OF CONTRACT: *see* CONTRACT.

'BREWER'S GUIDE TO SCIENCE,' 65, 178, 179

BRICK,

proper subject of registration under Designs Act, 439

'BRISTOL MERCURY' (The), 194, 254

'BRITANNIA,' (The), 73, 762

BRITISH DOMINIONS,

definition of, 116, note (a), 632

necessity for residence of alien in, to obtain copyright, 116, 120, 122, 125,
note (a)

BRITISH GUIANA ADOPTS THE PROVISIONS OF THE 10 & 11 VICT c. 95..
499

BRITISH MUSEUM,

delivery of copy of every book at, 114, 151, 152, 634

penalty for default, 153, 635

under International Copyright Acts, 475, 673, 688

BRITISH SUBJECTS: *see* ENGLISHMEN.

'BROAD-STONE OF HONOUR,' 109, note (a)

BRUNSWICK JOINS THE INTERNATIONAL CONVENTION, 506

BUREAU de la Librairie of the Ministry of the Interior at Paris, works there
to be registered, 487, 688

'BURLESQUE VALSE,' Coote, 293

BURNETT'S 'ARCHÆOLOGIA PHILOSOPHICA,' 212

BURN'S 'JUSTICE OF THE PEACE,' 584

BURNS' LETTERS, 49, note (c)

BUSINESS LETTERS: *see* LETTERS.

copyright in advertisements of, 97

BUSTS : see SCULPTURE.

BUYER : see AGREEMENTS BETWEEN AUTHORS AND PUBLISHERS; ASSIGNEES;
PROPRIETORS.

BYRON'S 'Cain,' 89
 'Childe Harold,' 126
 'Don Juan,' 90
 'Marino Faliero,' 33

CAIN, LORD BYRON'S POEM OF, 89

CALENDARS : see also ALMANACS.
 subject of copyright, 258, 286

CAMPBELL'S POEMS, COPIED, 188.

CAMPBELL (LORD),
 criticism on Lord Eldon's refusal to grant injunctions in the case of
 obnoxious books, 86

CAMBRIDGE (PUBLIC LIBRARY) : see UNIVERSITIES.

CANADA,
 adopts provisions of the 10 & 11 Vict. c. 95 .. 499, 500
 protective duties in, 500
 effect of *Routledge v. Low* on copyright in, 505
 correspondence between government of, and this country, 500
 value of copyright in, to British authors, 500, note (a)
 suggestions of Copyright Commissioners, 501
 the Act of 1875 as to copyright in, 501, 709
 assent to this Act by Parliament, 502, 707, 708
 effect of this Act, 502
 case of *Smiles v. Belford*, 502

CANCELLING REGISTRATION : see EXPUNGING ENTRY.

CAPE OF GOOD HOPE,
 adopts provisions of the 10 & 11 Vict. c. 95 .. 499

CARDS,
 Christmas, protected, 367

CARPETS,
 copyright in designs as applied to, 412, 646, 732, 735

CASES,
 taken from legal reports, 194, 195

'CASTLE OF OTRANTO,' 93

CASTS : see SCULPTURE.

CATALOGUES,
 of engravings : see PRINCE ALBERT'S CASE.
 of natural curiosities, 40
 of tricks and magical apparatus, 96, note (c)
 of designs, form of injunction restraining sale of, 764
 raisonnés, 97

CATALOGUES—*continued.*

- tradesmen, 97
- copyright in, if descriptive, 96, 204, note (a)
- no, if but dry list of names, 96

CERTIFICATE,

- of registration of designs, 426, 654, 736 .
- of entry in registry, 136, 636
- stamp on, 136, note (a)
- of entry at Universities, 620

CHANCERY AMENDMENT ACT, 1858.. 256

CHANCERY (COURT OF) : *see* COURT OF CHANCERY : INJUNCTIONS ; REMEDIES FOR INFRINGEMENT OF COPYRIGHT.

CHARACTER.

- letters may be published for vindication of, 50

'CHARMS OF BERLIN,' 472

CHARTER OF STATIONERS' COMPANY,
original, 19CHARTS : *see* MAPS.

- copyright in, 42, 110
- degree of originality necessary in, 41, 42

CHATTERTON (DEATH OF), PICTURE OF, 34

CHESTERFIELD (LORD), LETTERS, 44, 49, note (c)

CHIARO-OSCURO,

- meaning of the term, 368

'CHILDE HAROLD,' BY BYRON, 126

CHILDRENS' SCHOOL BOOKS,
copyright in, 46, note (a)

CHILI, (REPUBLIC OF),

- copyright in, 567
- duration of, 567
- foreign works have no protection in, 567

CHRISTIANITY,

- part of the law of the land, 88, note (c).
- work, against, 87, 91

'CHRISTIE JOHNSTONE,' 599

'CHRISTMAS ANNUAL,' (BEETON'S), 761

CHRISTMAS CARDS,

- protected either under Engraving Acts, or 25 & 26 Vict. c. 68, or Designs Act, 367

CHROMOS,

- protected in United States, 568

'CHRONICLES OF STANFIELD HALL,' (The), 78

CHRONOLOGICAL WORK, PIRACY OF, 198

CICERO QUOTED, 49, 197

CIRCULATION OF COPIES,
generally, though gratuitously, a publication, 111
to a limited number not a publication, 111
among pupils of a system of book-keeping not a publication, 111

CITIZEN,
copyright in United States limited to, and resident, 569, 570
see FOREIGN AUTHORS.

CIVILIZATION,
international law in relation to, 471
effect of the fine arts on, 351

CLARENDON'S (LORD) HISTORY, 8

CLARIBEL,
songs by, 95

CLARINDA, LETTERS OF BURNS TO, 49, note (c)

CLASS-BOOK OF MODERN SCIENCE, 179

CLYDE BILL OF ENTRY AND SHIPPING LIST,
copyright in, 40, note, (c)

COLLECTIONS,
copyright in, of poems, proverbs, maxims, quotations, &c., 43, 184

'COLLEEN BAWN,' (THE), 299, 332

COLLEGE COPYRIGHT: *see* UNIVERSITY COPYRIGHT.

'COLLEGIANS (THE),' 299

COLONIAL COPYRIGHT,
the 5 & 6 Vict. c. 45, and 8 & 9 Vict. c. 93 .. 498, 678
the provision of 1847 as to foreign reprints, 498, 678
colonies which have placed themselves under the provisions of 1847 .. 499
Canadian copyright, 500, 501, 502, 506, 707-709
suggestion of the Copyright Commissioners on the Foreign Reprints Act,
501, 503
suggestion of the Copyright Commissioners as to, 503
value of, to British authors, 500, note (a)

COLOURABLE ALTERATIONS,
infringement of copyright by, 196-201

COMBINATION,
original, proper subject of registration under Designs Acts, 432, 433

'COME TO PECKHAM RYE,' 301, 310

'COME WHERE THE MOONBEAMS LINGER,' 293, note (a)

COMEDY,
copyright in, given by 3 & 4 Will. 4, c. 15, 5 & 6 Vict. c. 45 .. 299, 300,
308, 626, 639, 640

'COMICAL HISTORY AND TRAGICAL END OF REYNARD THE FOX,' 763

COMMENCEMENT

- of copyright in books published in parts, 82
- MS. plays, 323
- proceedings under Copyright Act, 1842, within 12 months, 228, 229, 250, 641

COMMERCIAL LETTERS: *see* LETTERS.

COMMISSION,

- copyright in works executed on, 390
- " photographs executed on, 408
- on pirated works to come into the account, 270
- replicas* of pictures painted on, 408
- as to publishers', 612

COMMISSIONERS: *see* COPYRIGHT COMMISSIONERS.

COMMISSIONERS OF PATENTS.

- all powers vested in Board of Trade by Designs Acts vested in, 452, 716
- general rules made by, under Designs Acts, to be laid before Parliament, 452, 715

COMMON LAW,

- copyright at, 6, 29, 31, 33, 34
- publication at, 17
- right to old copies, 27
 - early decisions as to, in Scotland, 30, note (a)
- no right to delivery up of pirated copies at, 225
- how right to representation lost at, 301: *see* MANUSCRIPT.

COMMON MATERIALS,

- no copyright in, 42, 214, 215: *see* COMPILATION.

COMMON PRAYER BOOK: *see* PRAYER BOOK.

COMPANY,

- letters by the solicitor of a, 43, note (b), 52

COMPILATION: *see also* DIGESTS.

- copyright in a, 38, 43, 62, 178
- " " in France, 40, note (b)
- the result of a, must be original, 42, 174, 178, 181, 198, 215
- component part of a, not protected apart from the arrangement, 42, 214, 215
- difference between an abridgment and a, 202
- Blackstone's Commentaries a, 62
- of maps, 41, 42
- of poems, 39, 43
- of road book, 39
- of account of natural curiosities, 40
- of account of works of art, &c., 40
- of receipt books, 41
- of mathematical table, 43
- of a systematic course of instruction, 65
- of directories, what course may be followed, 177
- of dictionaries, 181, 182

COMPOSITION,

- nature of a literary, 1, 5
- author's right to his own, 6, 7

COMPOSITION—*continued.*

- property in a literary, 7
 - does not pass by publication, 19
- what renders a, literary, 45, 46
- abroad does not affect copyright, 114
- a dramatic, protected in MS. like a literary, 18, 301, 640
- the value of property in a musical, 17
- musical: see MUSICAL COMPOSITION.

COMPROMISE,

- offer to, cannot be pleaded against a plaintiff, 231

COMYNS' DIGEST, 63, note (a)

CONFIGURATION,

- protection under Designs Act only afforded to, 438

CONGRESS,

- question of international copyright before, 495, 496, 497
- copies of books to be delivered at library of, 570, 571, 720

CONSENT OF AUTHOR

- to publication, 161-165
- to the representation of his dramatic work, 302
- when consent of Dramatic Authors' Society equivalent to, 302
- may apply to work not in existence, 303
- cannot be given to infringe copyright after sale, 171
- distinction between licence and assignment, 161, note (b)
- to use paintings, drawings, and photographs must be in writing, 391, 400
- where there are several authors, 303
- what in plaintiff's conduct may amount to: see ACQUIESCENCE.
- form of minute of, to be entered at Stationers' Hall, 642

CONSOLIDATED CUSTOMS ACT,

- provision relating to books, 221, 224, and note (b), 717

CONSTRUCTION

- of words "in pursuance of this Act," 228
 - "printed and published," 18
 - "persons aggrieved," 141, note (c)
 - "sheet of letter-press," 110, 677
 - "personal representatives," 632
 - "place of dramatic entertainment," 304
 - "dramatic piece," 308, 632
 - "provided the same be done within the United Kingdom, &c.," 113, 114, 116, note (a), 120
 - British dominions, 116, note (a), 120, 632
 - Commissioners of the Treasury, 656, 661
 - articles of sculpture, 677
 - or any portion of his interest, 5 & 6 Vict. c. 45, s. 13 .. 168
- of the word "book," 110, 145, 148, 632, 677
 - "copyright," 1, 337, 632
 - "subject," 119
 - "stage-play," 668
 - "offence" in the Copyright Act, 229, 251
 - "edition," 605
 - "author," 115, 120, 490
 - "proprietor," 648

CONSTRUCTION—continued.

- of the word " assigns," 632
- " volume," 632, 677
- " pamphlet," 632, 679
- interpretation clause of the 7 Vict. c. 12 .. 677
- 15 Vict. c. 12 .. 683
- Literary Copyright Act, 1842 .. 632
- Engraving Copyright Acts, 357
- Designs Act, 427
- of Act of 3 Will. 4, c. 15 .. 308, 628
- of the 19th section of the International Copy-
right Act, 334
- of agreements between authors and publishers, 594

CONTEMPORANEOUS

- publication abroad and in this country, 113, 117, note (e), 125, note (a)

CONTINUATION OF WORK,

- author may publish, having sold copyright, 584
- by another restrained, 761

CONTRACTS: see also AGREEMENTS.

- to supply work, 578, 580
- " specific performance of, 581
- to publish unlawful book, 580
- not to write on a particular subject, 583
- not to sell under a certain price, 603
- between authors and publishers, 575, 578
- should be in writing, 578
- manager of theatre and actor, 583, note (a)
- for division of profits, 595, 596
- not assignable, 596, 598
- terminable by notice 599, 603
- ordinary, between authors and publishers not a partnership, 605
- breach of, ground for issuing injunctions, 49
- as to publishing, 578
- as to articles in encyclopædia, 75, 80
- as to works written by one for another, 126, 130
- as to style of publication, 591
- for sale of copyright will be decreed, 581, note (b)
- for publication of a specific number of copies, 591
- on breach of, to sell copies on hand prior to expiration of limited copyright,
606

CONTRIBUTORS,

- right of: see PERIODICAL PUBLICATIONS.

CONVENTIONS,

- international copyright, 505, 506
- power of Crown to conclude, 473, 671
- between England and France, 506
- list of foreign countries with which, have been entered into, 506
- between this country and Foreign States, Appendix (K.)

CONVEYANCING, PRECEDENTS IN,

- stolen, 9
- copyright in, 64

COPIES OF BOOKS

- to be delivered to the British Museum, 151, 634

COPIES OF BOOKS—*continued.*

- to be delivered to the Universities Library, 151, 634
- penalty for default, 152
- under International Copyright Act, 475, 673, 676, 688
- importation of pirated, prohibited, 217, 221, 224, note (b), 675
- action for recovery of, pirated, 225
- no delivery up of, under 54 Geo. 3, c. 156 .. 225
- number of pirated, to be disclosed by defendant, 266
- agreement as to publication of specified, 591
- constituting edition : *see* EDITION.

COPYING,

- to what extent allowed, 172, 174
- in case of directories, 177
- „ dictionaries, 181–185
- to certain extent necessary in engravings, 369
- evidenced by similarity of errors, 183, 184, note (a)
- of photographs lent for particular purpose, 375
- in action under Engraving Acts defendant to be charged with, part as well as the whole, 378

COPYRIGHT,

- nature and definition of, 1, 120, 156
- personal property, 156, 641
- a local right, 156
- devolves on personal representatives, 156, 157, 641
- passes to creditors, 157
- regarded as a matter of state, 274
- at Common Law, 3, 29, 33
- no, in mere ideas, 5, 37, 66
- in the material that has embodied the ideas, 6, 37
- not in the form of words, but in intellectual conception thereby expressed, 37
- to obtain, there must be originality, 37, 65
- when first recognised, 19
- petitions to Parliament for protection of literary, 25
- first Act for protection of literary, 25, 613
- Universities obtain Act for protection of their, 35, 618
- effect of a perpetuity in, 107
- „ „ considerations respecting, 107
- „ „ Napoleon's opinion, 107
- in works published before 5 & 6 Vict. c. 45 .. 108
- duration of, under 18 Anne c. 19 .. 26
- „ „ 54 Geo. 3, c. 156, s. 4 .. 35
- „ „ 5 & 6 Vict. c. 45 .. 108, 632
- „ „ the Engraving Acts, 353, 355, 614, 617
- „ „ the Sculpture Acts, 382, 624
- „ „ the Designs Acts, 412, 646, 647, 683, 735
- „ of author published more than twenty-eight years before the 54 Geo. 3, c. 156 .. 35, note (a)
- what may be the subject of, 37.
- in maps, 41, 42, 65, note (a) 147
- in arrangement of receipts, 41
- private letters, 43, 53
- in letters sent to newspapers, 51
- in 'The Clyde Bill of Entry and Shipping List,' 40, note (c)
- in lectures, 17, 18, 54, 58
- in sermons, 57

COPYRIGHT—*continued.*

- in abridgments, 59
- in digests, 62
- in school books, 65, note (b)
- in a title, 67
- in a single word, 67
- in an abstract of title, 46, note (b)
- in encyclopedias and periodicals, 75, 76, 638, 639
- in articles written for reviews, magazines, &c., 75, 76
- in translations, 82, 211, 212
- in directories, 96, 177
- in dictionaries, 174, 181, 182
- in a dry catalogue of names, 96
 - Wood, V.C., opinion as to, 96
- in a descriptive catalogue of tricks and magical apparatus, 96, note (c)
- in specifications of patents, 96
- in catalogues *raisonnées*, 97
- in tradesmen's catalogues, 97
 - not in advertisements of place and kind of business, 97
- in illustrated furniture guides, 98
- principles on which not allowed in an advertising medium, 100
- in a diagram, 100
 - scoring tablet, 100
- in newspapers, 453, 470
- in newspaper telegrams, 100, 101
- in new editions, 101, 105
- in spectacular pieces, 310
- in adaptation of old play, 311
- in translation of foreign drama, 311, 689, 707
- in immoral play, 315
- in MS. dramatic pieces, 323, 324, 325
- in libellous, immoral, or obscene works, 84
- in irreligious works, 88
- in works of a scandalous nature, 92, 94
 - „ intended to deceive the public, 93, 94
 - „ so decided on ground of fraud, 94, 95
- in the Bible and Prayer Book, 274, 276
- in Acts of Parliament and matters of state, 280
- in the publication of proceedings in Courts of Justice, 283
- in almanacs generally, 286
- in sheet almanac printed from a directory, 78
- in the Nautical Almanac in particular, 289
- in the Latin Grammar, 299
- in manuscript musical and dramatic compositions, 18, 323, 324, 325
- in works where no originality is claimed, 65
 - „ which have no actual existence, 66
 - „ written for another, 126
 - „ „ where only subject suggested, 127
- in whom vested, 108
- in France, 507
- in Belgium, 525
- in Holland, 526
- in the German empire, 529
- in Austria and Hungary, 541
- in Norway, 543
- in Sweden, 549

COPYRIGHT—*continued.*

in Denmark, 556

in Portugal, 558

in Italy, 559

in Switzerland, 562

in Turkey, 563

in Russia, 564

in Greece, 566

in Brazil, 567

in Republic of Chili, 567

in Japan, 567

in Mexico, 567

in the United States of Venezuela, 567

no, in certain countries, 568

in the United States, 568

in anonymous works, 109, 674

commencement of, in works published in parts, 82

abandonment of, 133

not presumed from book being out of print, 133

not lost by mere expression of opinion, 253

obtained by simultaneous publication abroad and in this country, 113,

117, note (e), 125, note (a)

an Englishman resident abroad may have, 114

no, by law of nations, 115

no, in a mere plan of a work, 100

no, acquired by registration before publication, 100

persons who may claim under the word "author," 115

how alien may acquire, in this country, 116

whether a foreign resident abroad can obtain, in a work printed and published here, 116, 117

extension of, by the Act, 1842.. 120

necessity for alien to be within British dominions, and to publish in United Kingdom to obtain, 122

in such portion of work as published here, 122

there may be, in part of work, 126

may be owned by Government, 126

„ corporation, 126

Lords Cairns' and Westbury's opinions on the Literary Copyright Act, 12

Lord Cranworth's opinion, 119, 121

lien on, by bookseller, 157

an equitable, 159

ignorance of, no excuse for piracy, 67, 305, 367

song may not be publicly sung, 308, 310

international conventions: *see* INTERNATIONAL COPYRIGHT.

the offspring of civilization, 471

regulated by 7 Vict. c. 12, and 15 Vict. c. 12.. 472, 668, 686

of 1837, refers solely to books, 473

registration of, 474, 673, 688

colonial: *see* COLONIAL COPYRIGHT.

suspension of, in colonies, 498, 499, 678

in musical and dramatic composition: *see* DRAMATIC COPYRIGHT.

in engravings, prints, and lithographs: *see* ENGRAVINGS.

in sculpture and casts: *see* SCULPTURE.

in paintings, drawings and photographs: *see* these titles.

in designs: *see* DESIGNS.

registration of: *see* REGISTRATION.

COPYRIGHT—continued.

assignment of: *see* ASSIGNMENT OF COPYRIGHT.

Crown: *see* CROWN COPYRIGHT.

infringement of: *see* INFRINGEMENT OF COPYRIGHT.

of Universities: *see* UNIVERSITIES.

COPYRIGHT COMMISSIONERS (THE ROYAL),

suggestions as to lectures, 57

abridgments, 62, note (a)

periodical publications, 80

extension of copyright, 109

publication in the United Kingdom, 125, note (a)

aliens, 125, note (a)

persons capable of holding copyright, 126, note (a)

actions in respect of infringements before registration, 146, note (c)

copies of books for the public libraries, 154

copyrights of Universities, 292

musical and dramatic copyright, 325

literary and performing rights in, 325

dramatization of novels, 341

sculptures and models, 386

registration of paintings, drawings, and photographs, 396, note (a)

engravings and prints, 396, note (a)

copyright in paintings, drawings and photographs, 390, note (b)

photographs particularly, 407

artists' sketches and studies, 407, 408

registration under the International Copyright Act, 478

translations and adaptations of foreign plays, 491

dramatic pieces and right of performance, 442

the Foreign Reprints Act, 501, 503

colonial copyright, 503

'CORNFLOWER VALSE,' 293, note (a)

CORPORATION

may own copyright, 126

'CORRESPONDENT NEWSPAPER,' (The), 70

CORRESPONDENTS: *see also* LETTERS,

letters from, to editors of newspapers, 51, 52

to Government officers, 53

COSTS,

in actions, 299, 300

double, 300, 622, 625

security for, 232

points as to, in equity, 271, 273

COTTENHAM'S (LORD) OPINION AS TO AUTHOR'S RIGHT TO MSS., 10

COTTON, COPYRIGHT IN DESIGNS APPLIED TO, 412, 647, 735

COUNTY COURT,

proceedings in, for piracy under Designs Act, 444, 694

COURT OF CHANCERY: *see* INJUNCTIONS; REMEDIES IN EQUITY.

COURT GUIDE, 96

'COURT MISCELLANY OR GENTLEMAN AND LADY'S MAGAZINE,' 295

- COURT OF JUSTICE,**
 right to publish proceedings in, 283, 285
 when publication of proceedings in, published, 284
- COURT OF SESSION,**
 principles on which determinations of, have proceeded, 49
- CREDITORS,** cannot seize author's MSS., 7, 157
- CRITERION OF PIRACY,**
quantum little, 61, 156, 187
 that one work serves as substitute for the pirated work, 174, 175, 195,
 196
 similarity of errors, a, 183, 184, note (a)
 „ appearance, 246, 247
- CRITICISM,**
 on the rule as to abridgments, 60, 61
 extracts for, when amount to piracy, 188, 191
- CROKER'S NOTES TO BOSWELL'S 'LIFE OF JOHNSON,'** 126
- CROWN COPYRIGHT, Chapter IX.**
 nature of, 274
 in Bible and Prayer Book, 274, 276
 view taken in Ireland of, 277
 „ England of, 277
 no, in Hebrew Bible, 274
 nor Septuagint, 274
 nor New Testament, 274
 in State documents, 280
 in Acts of Parliament, 280
 in law book that concerns the common law, 281
 in abridgments of Acts of Parliament, 283
 imprimatur usually affixed to law reports, 283
 as to publication of proceedings in Courts of Justice, 283
 Year Books, 283
 trial of Lord Melville, 284
 when publication during trial prohibited, 284
 publication of *ex parte* statements upon a coroner's inquest, 285
 no claim to exclusive publication of judicial proceedings in recent years,
 285
 no claim to copyright in opinions of Judges, 286
 effect of notes to statutes, 286
 almanacs, 286
 reason for claim, 286
 the Latin Grammar, 274
- CUMULATIVE PENALTIES:** *see* PENALTIES.
- CURIOSITIES,**
 account of natural, copyright in, 40
- CUSTOMS,**
 of the trade cannot override the law, 82, 83, 194, 196, 248
 no excuse for piracy, 253, 254
 of a particular establishment does not vest copyright, 322
 by the law of the, importation of pirated books prohibited, 219, 221, 717

CUTS: *see* ENGRAVINGS.

CYCLOPÆDIAS: *see* ENCYCLOPÆDIAS.

DAILY LONDON JOURNAL (THE), 69, 585, 762

DAMAGES, ACTIONS FOR,

for violation of common law rights, 8
gratuitious circulation, 216

pirated copies sold, 225

in respect of irreligious work, 87

under the 3 & 4 Will. 4, c. 15 .. 348, 349, 627, 628

„ 8 Geo. 2, c. 13 .. 615

„ 17 Geo. 3, c. 57 .. 376, 377, 622

„ 54 Geo. 3, c. 56, s. 3 .. 385, 624, 625

„ 5 & 6 Vict. c. 45 .. 641

„ 5 & 6 Vict. c. 100, s. 9 .. 441, 652

„ 25 & 26 Vict. c. 68 .. 699, 700

brought under statute of Anne without registration, 135, 145

but not under 5 & 6 Vict. c. 45 .. 136, 145, 146

against unlawful importing of books, 217, 221, 224

„ „ printing, selling, or letting on hire, 223, 224

„ „ as to separate penalties for such offence, 224, note (a)

at common law when not provided by statute, 218, 219

See LIMITATION OF TIME; REMEDIES FOR INFRINGEMENT OF COPYRIGHT.

DAMASK, COPYRIGHT IN DESIGNS APPLIED TO, 412, note (e), 647, 735

‘ DANGEROUS CONNECTIONS,’ 145

DATE OF PUBLICATION: *see* REGISTRATION.

DEATH OF CHATTERTON ‘ picture,’ 34

DECISIONS: *see* JUDGMENTS.

DESCRIPTIVE WORK,

no copyright in, 93

DECREES OF STAR CHAMBER, 20

DEFENDANT

in action to give notice of objection to plaintiff’s title, 226

what sufficient notice, 227

amending notice, 227

may plead general issue and give special matter in evidence, 228,
641

all actions against, to be brought within twelve months: *see* LIMITATION
OF TIME.

position of, when notices of objections to title not given, 228

when to keep account, 254

effect of offering to compromise, 231

DEFINITION: *see also* CONSTRUCTION.

of “ Copyright,” 1, and note (a), 337, 632

of “ originality,” 181

DEFINITION—*continued.*

- of property, 5
- of "book," 110, 294, 632
- of a headnote, 62
- of an abridgment, 59, 202, 298
- of "offence," 229, 251
- of an injunction, 233
- of "books, and other writings," 294
- of dramatic pieces, 310, 632
- of a dramatic composition, 308
- of a place of dramatic entertainment, 304, and note (b)
- of the representation of a dramatic composition, 308
- of "published" in 3 & 4 Will. 4, c. 15, and 5 & 6 Vict. c. 45 .. 334, 335, 336
- of "printed and published," 18
- of "persons aggrieved," 141, note (c)
- of "sheet of letter press," 110
- of "in pursuance of this Act," 228
- of "design," 356, 411
- of "proprietor" of a design, 413, note (b), 648
- of "personal representative," 632
- of "assigns," 632
- of "British dominions," 632
- assignment as distinguished from a licence, 161, note (b)
- of translations, 485
- necessarily a want of originality in, 174, 181

DELAY : *see also* ACQUIESCENCE.

- where there has been, application for security of costs will not be entertained, 232, 248

DELIVERY

- of pirated copies up to authors, 225
- " no right at Common Law, 225
- " of designs and drawings, 226
- form of order for, of woven fabrics, 764
- of copies to the public libraries, 114-151, 155, 229, 634, 635
- under International Copyright Acts, 475, 673, 676, 688
- of lectures : *see* LECTURES.

DENMARK,

- Literary Copyright*, 554
 - what, 554
 - duration, 554
 - works out of print, 554
 - anonymous works, 554
 - registration, 555
 - remedies, 555
 - penalties, 555
- Dramatic and Musical Works*, 555
 - right of representation, 555
- Artistic Copyright*,
 - what protected, 555
 - duration, 555

DEPOSIT OF COPIES AT PUBLIC LIBRARIES, 114, 151-155, 475, 634, 635, 673, 676, 688

'DERMOT ASTORE,' 232, note (a)

DESCRIPTIVE CATALOGUES,
copyright in, 96, 98

DESIGNS,

copyright in—Chapter XV.

protection afforded by the French, 410

first Act giving, 410, 622

other Acts, 622, 623, 631, 680, 695, 715

division of the right of, 410, 411

copyright in designs for ornamental purposes, 411, 645

considered as different from the substance to which they are applied, 411

what is a publication of, 411, note (a)

from what period copyright begins, 411, note (a)

duration of the right, 412, 646, 683, 735

extension of copyright in, for damasks, 412, note (e)

the Commissioners of Patents empowered to extend time, 413, 681, 683,
733

orders of Commissioners to be registered, 413

registration of, for ornamental purposes, 413, 647

when registration to be effected, 413

definition of a proprietor of a copyright in, 413, note (b), 648

who entitled to register, 737

as to marking 'Rd.' on designs, 414, 647

what sufficient for registration, 414, 415

„ shawl, 414, 415, 417

no specification necessary, 415

inspection of registry allowed to all after copyright expired, 415, 429,
655, 734, 738

and before under certain circumstances, 415, 429, 661, 734

certificate may be obtained on production of a design as to whether there
be copyright or not, &c., 429, 655, 734

copies of, in books for sale need not have registration mark, 415

may be registered in several classes, 415, 736

when advisable, 416

but must be at same time, 416

the appointment of a registrar and other officials, 416, 425, 653, 659

the making of rules for regulation of office, 416, 417, 653, 654, 666, 683

pattern registered in one class may be applied to substance in another,
416, note (b)

mode of registration, 417, 693

fees payable on, 735,

registration may be effected by sample, 417, 693

when advisable, 417

when not advisable, 418

when sample of article registered, design not infringed by article produced
on same principle if different in style, 418-425

power of registrar to dispense with drawings, &c., 426, 660, 683

copies of drawings or tracings to be filed, 426, 448, note (b), 732, 736

certificate of registration, 426, 654, 734

to be received in evidence, 427, 654

the registration mark, 447, 657, 693, 733

not required on sculpture, 427, 682, 733

when provisionally registered, 427, 733

if article registered under class 10.. 733

DESIGNS—*continued.*

- penalty for wrongful usage of the registration mark, 427, 450, 649, 652, 737
- action lies for false representation as to registry of, 427, note (a)
- acts to be construed strictly, 427
- transfer and authority to register, 430, 648, 733
 - form of, 430, 648
 - must be in writing, 431, 432
 - fees payable on, 736
- any license must be in writing, 165, note (a), 431, 432
- effect of bankruptcy of transferor between assignment and registration, 432
- original combination of old patterns may be registered, 433, 434
- claim to register a design for a dog-cart, 433, note, (b) 440
- copy of a photograph of a well-known character not a, 435
- remedies for piracy of right in ornamental designs, 435, 649
- manufacturer bound to inquire if design registered, 436
- notice under the 7th section of the 5 & 6 Vict. c. 100 .. 436, 437, 649
- the manufacture without the intention of selling, an offence, 438
- ignorance of, does not excuse the piracy, 438
- the 7th section of the 5 & 6 Vict. c. 100, extended to useful designs, 438, 659
- as to what is a proper subject for registration under the Designs Act, 438
 - “ oblong pane of glass,” 438
 - “ protector label,” 439
 - “ dog-cart phaeton,” 440
 - “ table lamp,” 441
- action for damages for infringement, 441, 649
 - ” ” in England, 442, 450
 - ” ” in Scotland, 443, 651
 - ” ” in Ireland, 443, 652
- limitation of actions, 444, 653
- justice may order payment of costs in cases of summary proceedings, 444, 653
- remedies extended to useful designs, 444, 659
- proceedings may be taken in the County Court, 444, 694
- consideration in selecting remedy, 445
- no right to delivery up of pirated articles, 445
 - but order made in one case, 226, 445, 764
- what a statement of claim should contain, 446
- articles alleged to be piracies to be produced in court, 446
- extension of copyright in ornamental design, 683, 693
- Copyright in Design of utility*—
 - what necessary in order to obtain protection, 447
 - ” to procure registration, 447
 - all designs to have a title, 448, 740
 - amending or cancelling registration, 448, 659
 - what not a design, 433, note (b)
 - no mechanical action or principle not inseparable from shape can be registered, 449, 742
 - discretionary power in registrar, 426, 449, 660
 - to register under ornamental or useful Designs Act, 449, 660, 661
 - to reject designs being simply labels, wrappers, or other coverings, 449, 661
 - appeal to Privy Council, 449, 661

DESIGNS—*continued.**Copyright in Design of Utility—continued.*

- all provisions of 5 & 6 Vict. c. 100, as to transfer of designs, printing, &c., penalties extended to useful designs, 449, 659
- provisional registration of designs, 450, 680, 737
- exhibition of designs provisionally registered, 450, 451, 681
- fees for provisional registration, 451.
- special provisions made at the Exhibition of 1851 .. 451, 686
- the 24 & 25 Vict. c. 73 .. 451, 695
- all provisions by Designs Act vested in Board of Trade transferred to the Commissioners of Patents, 452, 715, 716
- power for commissioners to make rules, 452, 715
- general rules to be laid before Parliament, 452, 715
- office of registrar to cease as a separate paid office, 452, 716
- form of injunction under Designs Act, 765
 - ” as to catalogue of designs, 764
 - ” as to woven fabrics and delivery up of articles, 764

DESPATCHES,

- publication of, 53
- Duke of Wellington's, 54

DETINUE (ACTION OF): *see* ACTION.

DIAGRAM, copyright in a, 100

DICKS' ENGLISH NOVELS, 71

DICTIONARIES,

- certain amount of liberty allowed in, 174, 181
- instances of piracy of, 182
- the case of, analyzed, 181

DIFFERENCE between assignment and licence, 161, note (b)

- ” ” commercial letters and literary compositions, 45, 46
- ” ” a copy and an imitation, 196
- ” ” various kinds of abridgments, 201
- ” ” pianoforte score, and original score, 343

DIGBY'S 'BROADSTONE OF HONOUR,' 109, note (a)

DIGEST: *see also* ABRIDGMENTS,

- copyright in a, 62
- infringement of copyright by way of, 208
- a head-note considered as a, 62, 63, 208
- Comyns', 63, note (a), 206

DILIGENCE TO BE OBSERVED IN SEEKING INJUNCTION, 248

DIRECTORIES,

- copyright in, 96, 258
- instances of piracies of, 177
- post-office, title, 75
- injunction as to, 764

DISCOVERY,

- right of plaintiff in equity to, 226, 269
- ” ” how limited, 269

- DISCRETIONARY POWER
in registrar to register under the Designs Acts, 426, 449, 660, 661
- DISSOLUTION
of partnership between publishers, 76, note (b)
of injunctions: *see* INJUNCTIONS.
- DISTINCT PROPERTIES NOT ADJUSTED IMMEDIATELY, 3
- DISTINGUISHABLE PROPERTY, COPYRIGHT, a, 5
- DISTRIBUTION,
gratuitous, when a publication, 111
„ when, an infringement of copyright, 216
- DIVISIBILITY OF COPYRIGHT,
as to locality, 166
as to time, 167
- DIVISION,
of piracies into classes, 186
no, of copyright, as to locality, 166, 167
agreements for, of profits, 595
„ „ not assignable, 596, 597
„ „ terminable by notice, 597, 598
forms of agreements for, of profits, 750, 752
- DOCUMENTS (STATE): *see* CROWN COPYRIGHT.
- ‘DOG-CART PHÆTON,’
not a proper subject of registration under Designs Act, 440
- ‘DOING FOR THE BEST,’ 165
- DONALDSON *v.* BECKET, CASE OF, 29
- DOUBLE COSTS: *see* COSTS.
- DRAMATIC AUTHORS’ SOCIETY,
an agent for its members, 302
- DRAMATIC COMPOSITION,
copyright in, 293
what is a, 308, 309
musical compositions for the stage are, 294
work not intended for stage may be a, 308
song “Come to Peckham Rye” a, 310
a spectacular piece a, 310
representation of, not equivalent to publication of, 295
American case, 296
made equivalent to publication, 300, 643
may be stayed by injunction, 295, note (a)
what amounts to, 308
the 3 & 4 Will. 4. c. 15, relating to, 299, 626
term of copyright in, 300, 301, 626, 627
abridgment of, 33, 298
a pantomime prohibited, 299
how the common law right of representation of MS. lost, 301
statutory protection attaches on public representation, 301, 627
query whether MS. being registered and piece after printed and not
registered, copyright affected, 301
where the copyright in unpublished, dates from, 302
as to consent of author of, 302

DRAMATIC COMPOSITION—*continued.*

- as to consent of Dramatic Authors' Society, 302
- " may apply to works not in existence, 303
- " authors where more than one, 303
- may be taken from novel without infringement, 336
- otherwise in France, 337, note (a)
- but drama may not be printed, 337
- published before novel saves right of dramatization of novel, 339
- but not if published after, 340
- altered, though improved by another does not constitute joint authorship, 130
- what constitutes joint authorship in a, 321
- no assignment necessary where, executed for another, 319, 320
- performance at a place of dramatic entertainment, 303
- what is a place of dramatic entertainment, 304, and note (b)
- copyright may be secured in the adaptation of old play, 311
- translation of foreign drama, 311, 313, 689, 707
- immoral play not protected, 315
- right of Lord Chamberlain to prohibit plays, 315, note (a), 661: *see*
- THEATRES.
- the right of representation in MS. plays, 322
- " how affected by subsequent representation, 322
- " previous publication in print in foreign country, 323
- " from what time to commence, 323, 324
- " lost by first publication in foreign country 324, 331, 332, 333
- in MS., what sufficient to register, 301
- distinction between the right of printed publication and public performance, 325
- private performance of, 326
- suggestions of the Copyright Commissioners as to, 325
- omission to register does not affect copyright, 302
- as to suing in respect of infringement of, before registration, 146, 641
- double costs given by 3 & 4 Will. 4, c. 15, taken away, 300
- assignment of the right of representation of, 168, 316, 318, note (b)
- need not be registered, 317
- must be in writing, 318
- assignee may sue though assignment be not by deed, 316
- the 22nd section of the 5 & 6 Vict. c. 45, does not apply to assignment of representation, 317, 640
- what words amount to a complete assignment of, 318, note (e)
- meaning of assignment of 'London right' in, 350
- what amounts to a piracy of a, 326
- the taking of parts of a, 326
- substantial identity, 327
- the taking of a material scene, 315, 327-330
- no plagiarism in dramatizing the same incidents, 298
- injunction restraining the water-cave scene in 'The Colleen Bawn,' 299
- form of injunction restraining sale of operatic magazine, 762
- words of song taken, 308, and note (a)
- playing music in public though other words used, 308
- principal decisions on questions of piracy under Act of Will. 4.. 311
- cases of *Planché v. Braham*, and *Chatterton v. Cave*, 312
- two dramas taken from common original one not piracy of other, 347
- the 5 & 6 Vict. c. 45, does not deprive proprietors of remedies under Act of Will. 4.. 301, 640

DRAMATIC COMPOSITION—*continued.*

- punishment for infringement of, not to be visited on one not actually taking part in the performance, 305
- case of *Lyon v. Knowles*, 306
- Marsh v. Conquest*, 307
- remedies for infringement of copyright in: *see* REMEDIES FOR INFRINGEMENT. under the International Copyright Acts, 474, 481: *see also* INTERNATIONAL COPYRIGHT.
- registration when in print, 475, 688, 689
- " in MS., 475, 689
- deposit of copies when necessary, 475
- fair imitations or adaptations not prohibited, 481, 687, 707
- Frou-frou*, 482, 483, 484, 485
- what is a translation, 485
- requisites in order to obtain protection, 486, 487, 688
- as to works published in parts, 487
- fees for registration, 488
- effect of 19th section, 489
- applies to native as well as foreign authors, 489
- suggestions of Copyright Commissioners as to adaptation of foreign plays, 491
- as to right of performance, 492
- importation of copies prohibited, 492, 493, 689
- extended to unauthorized translations, 493, 687, 689

DRAMATIC ENTERTAINMENT: *see also* REPRESENTATION.

- what is a, 304
- place of, 303, 304, and note (b)
- who those who cause, 306
- introduction to a pantomime a, 305

DRAMATIC PIECE

defined by 5 & 6 Vict. c. 45 .. 632

DRAMATIZATION,

- novel may be dramatized, 216, 336
- except where play on same previously published, 216, 339
- cannot be saved by author publishing play after novel, 340
- suggestions of Copyright Commissioners as to, of novels, 341, note (a)

DRAWINGS: *see also* PAINTINGS.

- in furniture guides, not protected, 98
- registrar may dispense with, on registration of designs, 426, 447, 660, 683
- at whose expense furnished, 448, note (b)

"DUENNA," by Sheridan, 296

DURATION OF COPYRIGHT: *see* TERM OF COPYRIGHT

DUTY

- of sovereign to superintend publication of statutes, 277, 280, 281
- works on doctrines of religion, 276, 277
- of registrar of designs, 425

EARTHENWARE,

copyright in designs applied to, 412, 647, 735

EDITION,

- what is an, 102, 605
- rights of the purchaser of an, 605
- copyright may be obtained for any number of, 104, 105
- new, subject of copyright, 101
 - may be treated as a piracy though old edition was not, 252
 - of any work in which copyright does not exist may be brought out and valid copyright obtained, 105
 - to be registered, and if not, how far protected, 147
 - deposited under International Copyright Acts if containing additions, 475, 675

EDITORS,

- right of, to publish articles, 51, 76
- communications sent to, may be published, 51
 - but not if withdrawn before publication, 51
 - need not be preserved, 52
- when copyright vested in, 76
- when employed by publishers, not entitled to copyright, 76, note (d), 594, note (a)
- name of, on title-page not part of title, 588, note (b)
- agreement between, and publishers not to alter title, 588, note (b)
- how far proprietors of periodicals, may interfere with, 594.

‘EDINBURGH PHILOSOPHICAL JOURNAL,’ 584, 585

EFFECT

- of a perpetuity in copyright, 107
- of evidence of offer to compromise, 231
- of failure to give notice of objection to plaintiff's title, 228
- of public performance of MS. piece, 301
- of omission to register dramatic piece, 302
- of publication : *see* PUBLICATION.
- of registration : *see* REGISTRATION.

EGYPT,

- no copyright law in, 568

ELDON'S (LORD) OPINION OF *Perceval v. Phipps*, 48

EMPLOYER,

- who is legally an, 127
- copyright of work written for another in, 126, 127

ENCYCLOPÆDIAS : *see also* PERIODICAL PUBLICATIONS.

- copyright in, 75, 638
- reservation by author of articles in, 76
- article in, on Thomas Aquinas, 78
 - right of separate publication of, 78, 639
 - may be acquired by contract, 80
- suggestion of the Copyright Commissioners as to copyright in, 80
- registration of title of, 81, 144
- may not outstrip the limits of fair quotation, 174

ENGLAND,

- international copyright treaty between France and, 487
- „ „ „ „ and other countries, 506, Appendix (K)

ENGLISHMAN,

- though resident abroad may have copyright here, 114, 115
- when entitled to copyright in France, 486, 487

' ENGLISH SOCIETY,' 586, 587

ENGRAVINGS

- by the Queen and Prince Albert, 11
- must bear name and date, 358, 614
- advisable to retain name of first proprietor in print, 378
- when published with letter-press, 359, 632
- copyright in, 351
 - nature and origin of the right of, 351
 - first Act conferring, 8 Geo. 2, c. 13 .. 353, 613
 - only protected engraver being the designer, 354
 - second Act, 7 Geo. 3, c. 38 .. 354, 616
 - third Act, 17 Geo. 3, c. 57 .. 355, 621
 - Acts extended to Ireland, 370, 630
- Acts to be construed strictly, 357
 - include lithographs, 370, 691
- no monopoly in the subject, 368
- from objects in nature, 369
- two engravings made from perusal of same text, 369
- Acts extend to maps, 148, 150
- similarity of, from same map, 200
- maps protected under Engraving Acts, 360-367
 - not necessary to register, 360-365
- a print of any building, house, or garden protected by Engravings Acts, 354
- copyright obtained by person unable to draw, 355, 356
- meaning of the term "design," 356
- terms of the American Act, 356, note (b)
- Christmas cards protected under Engravings Acts, 367
- an engraver always a copyist, 369
- means by which effect produced, 369
- statutes do not apply to sale of prints made originally with consent, 374, 375
- in what class of, no copyright, 375
- no copyright in obscene or immoral, 375
 - „ libellous, 375
- infringement of copyright in, 368
- may be infringed by photography, 370
- infringement effected by copies made by mechanical or chemical process, 372
- not infringed by designs transferred to an article of manufacture, 372
- late case of *Dicks v. Brooks*, 372, 373, 766
- exhibition of picture not an infringement, 374
- ignorance of copyright in, no excuse for piracy, 367,
- penalty for piracy of, 376, 614
 - special action on the case, 376, 622, 699
- assignee may maintain action for piracy, 375
- not in Scotland necessary to allege where piracy committed, 375
- limitation of time as to actions, 377, 404, note (a), 615
- summary proceedings for the recovery of penalties 377, 699.
 - in England and Ireland 377, 699
 - in Scotland, 377, 699
- order for inspection of accounts, 378
- evidence on behalf of plaintiff, 378
- international copyright in, 376, 672
- may be protected by international treaty, 473, 672
 - registration of order, 475, 676

ENGRAVINGS—*continued.*

- foreign authors claiming copyright in, are not exempt from conditions affecting native authors, 489
- form of injunction as to collection of etchings, 762
 - ” ” etchings improperly obtained and published, 763
 - ” ” illustrated book, 763
- form of agreement between a publisher and engraver for engraving a painting, 755

ENTERTAINMENTS,

- copyright in, 304
- place of dramatic, 303, 304, and note (b)
- who those who cause dramatic, 306

ENTRY IN REGISTRY : *see also* REGISTRATION.

- forms of, 642, 643, 644
- of book necessary to support action, 136, 145
- full name of firm must be set out, 137
- of first publication under name of firm, 138
 - date of publication, 139
- as to the place of residence, 139
 - abode of the assignees, 139
- of title of work not yet published, 143
- stamp on copies of, 136, note (a)
- assignment of copyright, 164 : *see* ASSIGNMENT OF COPYRIGHT.
- under an application by assignor, 164, 165
- expunging or varying, 140, 477, 636, 652
 - ” ” on what evidence, 141
 - ” ” under Designs Act, 448, 652, 659
 - ” ” under 25 & 26 Vict. c 68 .. 397, 697
- making false, 136, 636,

EPHEMERAL PUBLICATIONS : *see* TEMPORARY.EPITOME : *see* ABRIDGMENT.

EQUITABLE COPYRIGHT.

- remedy : *see* INJUNCTION.

EQUITY, COURT OF : *see also* REMEDIES FOR INFRINGEMENT OF COPYRIGHT.

- principles on which injunctions granted, 15, 28, 234
- interfere to prevent publication of private letters, 46, 48

‘ERA,’ 72

ERRORS,

- similarity of, test of piracy, 183, 184, note (a)

ETCHINGS : *see* ENGRAVINGS ; PRINCE ALBERT’S CASE.

ETON,

- copyright in perpetuity, 290

‘EUNUCHUS,’ sale of, by Terence, 2

‘EVE OF THE BATTLE OF EDGEHILL,’ by Landseer, 403, 404

EVIDENCE,

- what defendant may give under general issue, 228, 641
- necessary for obtaining an injunction, 235
- for plaintiff in engraving suits, 378
- before expunging entry or varying register, 141, 142

EVIDENCE—*continued.*

letters used in, not deemed published, 110, note (a)
of copying by similarity of errors, 183, 184, note (a)
effect of offer to compromise, 231
of witnesses taken by examiners, 268, 269
as to damages under 3 & 4 Will. 4, c. 15 .. 348
registration, *primâ facie*, of title, 395
certificates of registration under Designs Act what, 426, 427, 429, 655

EXAMINER, attendance of witnesses before, 268, 269

EXCUSE FOR DELAY: *see* ACQUIESCENCE; DELAY.
piracy: *see* CUSTOM.

EXECUTION,

copyright not subject to seizure on, 157

EXECUTORS,

right to publish, 156, note (c)
to receive payment of price of portion of work, although author die
before completion, 156, note (c)

EXHIBITION

of 1851, articles exhibited at, 451
of pictures not infringement of copyright, 374
a publication, 399
of designs provisionally registered, 450

EXISTENCE OF WORK NECESSARY FOR COPYRIGHT, 6, 7, 37, 66.

EXPORTATION,

printer liable to action for printing copyright work for, 223, note (a)

EXPUNGING ENTRY

in registry book, 140, 477, 636, 652
" " on what evidence, 141
" " under 25 & 26 Vict. c. 68 .. 397, 697
" " under Designs Act, 448, 652, 659

EXTENSION OF COPYRIGHT,

when, under the 5 & 6 Vict. c. 45, s. 4 .. 108, 109, 633
in designs, 413, 683, 693, 733
see TERM OF COPYEIGHT.

EXTRACTS

from different authors, a digest, 62
from poetical works, 188
from Thackeray's works, 190
from another work simply arranged alphabetically, piratical, 209
omitting unimportant points not an abridgment, 59, 202
amount taken no criterion of piracy, 61, 187
value of, 186-188
of caricatures from 'Punch,' 188, 189, note (a)
for criticism, to what extent protected, 191

FACULTIES OF ADVOCATES AT EDINBURGH,
delivery of copies of books to, 151

FARCE: *see* DRAMATIC COMPOSITION.

FEEES FOR REGISTRATION

- under the Literary Copyright Act, 136
- „ Designs Act, 448, 735
- „ „ for provisional registration, 451, 737
- „ International Copyright Act, 488

‘FESTIVALS AND FASTS,’ Nelson’s, pirated, 28

‘FIELD’ (The), 46

FIGURES : *see* ARITHMETIC.

FINE ARTS,

- encouraged by the Stuarts, 352
- their gradual development, 388
- Copyright Act, 389, 695
- „ „ registration under the, 391, 696, 697
- see also* WORKS OF ART.

FIRM,

- full name of, must be set out in entry at Stationers’ Hall, 137
- sufficient to enter first publication under name of, 138

FIRST

- recognition of copyright, 19
- Act for protection of literary copyright, 25, 613
- „ „ engravings, 353, 413, 613
- „ „ sculptures, 381, 623
- „ „ paintings, 389, 695
- „ „ designs, 410, 622
- of play abroad deprives it of protection here, 323, 334, 331
- publication : *see* PUBLICATION.

FLOOR-CLOTHS,

- copyright in designs applied to, 412, 659, 735

FOREIGN BOOKS : *see* TRANSLATIONS.

FOREIGN REPRINTS,

- prohibited to be imported, 219–221, 224, note (b), 679, 718
- countries which have availed themselves of the, Act, 499
- suggestions of the Copyright Commissioners on the, Act, 501, 503
- Act : *see* 10 & 11 Vict. c. 95 .. 678

FOREIGNER,

- what necessary for, to obtain copyright here, 116, 122, 489
- may prevent translations, 84, 677, 686–689
- assignment by, 117 and note (e), 118, 168
- claiming copyright in engravings must take what steps, 489

FORFEITURE OF COPIES

- under the 5 & 6 Vict. c. 45 .. 217, 223, 224, 225, 638, 640
- under the Customs Consolidated Act, 219, 221, 224, note (b), 717
- under the 25 & 26 Vict. c. 68 .. 401, 698
- „ suggestions of Copyright Commissioners, 401
- „ provisions of the Bill now before the House, 401, 402
- imported under the 25 & 26 Vict. c. 68 .. 406, 700
- no provisions for, of pirated articles under Designs Act, 445
- „ but order made on one occasion, 445, 764
- provisions of 5 & 6 Vict. c. 45, as to, extended to works prohibited to be imported under International Copyright Acts, 494, 689

FORMS,

- minute of consent under 5 & 6 Vict. c. 45 .. 642
- requiring entry of proprietorship of book, 643, 746
- " " dramatic piece or musical composition, 747
- of entry of proprietorship of copyright in a book, 643, 746
- of concurrence of the party assigning in any book, previously registered, 644, 746
- of concurrence of the party assigning in any musical composition, 747
- of entry of assignment of copyright in book previously registered, 644
- for registration under the Designs Act, 647, 732, 736
- " " " Works of Art Act, 1862 .. 747
- for transfer of designs, 450, 648, 733
- copyright in substance not in, 212
- of agreements between authors and publishers, 749
- of agreement for sale of copyright in a work, 749
- half-profit agreement between author and publisher, 749
- of licence to print one edition of a work, 751
- of limited assignment by an author of a new edition of his work, 751
- of agreement to enlarge a second edition of a book and correct proofs of same, 752
- of agreement between an author and publisher for sale of a work where a sum is paid for the copyright, with variations where profits divided, 752
- of agreement between an author and publisher for sale of a work by commission, 753
- of agreement for editing of a work between the publisher and editor, 754
- " " " variations where for translating work, 754
- " " " between a publisher and engraver for the engraving of a painting, 755
- Under 25 & 26 Vict. c. 68*, of agreement to write an opera, 756
- for entire reservation of copyright by author when his work has been commissioned, 758
- for entire reservation of copyright by author when he first sells his non-commissioned work, 758
- for partial reservation of copyright by author where his work has been commissioned, 759
- for partial reservation of copyright by author when he first sells his non-commissioned work, 759

*Of Injunctions:**Literary Copyright,*

- restraining publication of poems, 760
- topographical dictionary, 760
- order restraining publication of books, awarding damages, and directing an account, 760
- use of name—injury to employer's property, 760
- publication of a magazine as a continuation of plaintiff's magazine, 761
- publication of a magazine in breach of contract, 761
- name and title page of song, 761

Titles,

- name of newspaper, 761
- soliciting customers, 762
- injury to periodical, 762

Dramatic and Musical Copyright,

- as to an operatic magazine, 762

Engravings and Etchings,

- collection of etchings, 762

FORMS—*continued.**Injunctions—continued.**Engravings and Etchings—continued.*

etchings improperly obtained and published; catalogues im-
properly published, decree; delivery up, 763
illustrated book, 763

Designs,

as to catalogue of designs, 764
as to woven fabrics and delivery up of articles, 764

Miscellaneous,

staying publishing of newspaper, 764
as to partial infringement, 764
as to selection from poems, 764
as to handbook, 764
as to directories, 764
as to portions of a work, 764
as to piracy of book and order as to damages, 764
as to directory, not to extend to advertisements, 764
as to printing a dramatised novel, 765
piracy of maps and inquiry as to damages, 765
under Designs Act as to mantilla shawls, 765
of judgments making injunction perpetual as to copyright, 765

FRA DIAVOLO, 142, 241

FRANCE,

protection afforded to designs in, 410
copyright in, 507

„ term of, 508, 509, 512

reciprocity decree, 28th March, 1852 .. 512, 522

international copyright treaty with, 506

peculiarity of combined effect of the French law, and the Convention of
1852 .. 523, note (a)

law as to compilations in, 40

„ lectures, 57

„ dramatization of novels, 337, note (a)

Literary Copyright, 514

decree of 19th July, 1793 .. 509

posthumous works, 510, 515

procedure and remedies, 510

penal code on piracy, 511

law of 8th April, 1854 .. 512

law of 14th July, 1866 .. 513

what protected, 514

duration of copyright, 514

rights of author's widow, 514

rights of widower of an authoress, 515

state copyright, 515

registration and deposit, 515

assignment of copyright, 515

piracy, 515, 518

whether whole or partial forbidden, 517

unauthorized translations, 517

points of note which have been decided, 518

Dramatic Copyright, 518

decree of 13th July, 1791 .. 507

„ 19th July, 1791 .. 508

FRANCE—*continued.**Dramatic Copyright—continued.*

- law of 3rd August, 1844 .. 511
- operas, &c., 518
- registration and deposit, 519
- „ of representation, 519
- not lost by publication, 520
- rights of foreign dramatic authors, 524

Musical Works, 520

- piracy, 520
- adaptation, 520
- piracy of unpublished work, 521
- combined effect of laws of 1791 and 1793 .. 521
- penalties, 521

Artistic Copyright, 521

- duration, 522
- what protected, 522
- photographs, 522
- registration and deposit, 522
- penalties of piracy, 522
- reciprocity, 522

FRAUD,

- provisions for the repressing of, 402, 698
- no copyright in works intended to deceive, 94
- Statute of, in relation to contracts between authors and publishers, 578, 579

FRAUDULENT

- alterations of pictures, 402, 403, 698
- entry in register, 136, 636
- imitation under the Designs Act, 436, 446, 649
- intent not necessary to shew, 73
- putting registration mark, 427, 450, 649, 652, 693
- representation of work to be the production of another, 247, 698
- taking of part of a title, 73

FRIENDLY LETTERS, 45

FRITH'S PICTURE, 'THE RAILWAY STATION,' 405

'FROU-FROU,'

- imitated or adapted to the English stage, 482

FURNITURE GUIDE,

- copyright in, 98

GADBURY'S ALMANAC, 286

GAZETEERS: *see* DICTIONARIES.

GENERAL ISSUE

- under plea of, what evidence may be offered, 641

'GENTLEMAN'S JOURNAL AND YOUTH'S MISCELLANY,' 364

'GENTLEMAN'S MAGAZINE,' 203, note (b)

GERMAN EMPIRE,

- Literary copyright,*
- Acts regulating, 529

GERMAN EMPIRE—*continued.**Literary Copyright—continued.*

what works protected, 529
 duration of, 530
 translations, 530, 531
 anonymous works, 530
 posthumous works, 530
 registration, 531
 assignment, 531
 infringement and piracy, 531
 piracy by copies made by hand, 531
 „ of music, 532
 remedy of authors, 533
 prescription, 533
 confiscation of pirated copies, 533
 penalties, 533
 sale of pirated copies, 534

Dramatic and Musical Representation,
duration, 535*Artistic Copyright, 535*

what is protected, 536
 persons protected, 536
 duration, 536
 registration, 537
 alienation, 537
 piracy, 537
 what acts piratical, 537
 exceptions, 537
 remedies and penalties, 538
 nationality and reciprocity, 538

Copyright in Photographs, 538

what protected, 538
 who protected, 538
 duration, 538
 alienation, 539
 piracy, 539
 remedies, penalties, 539
 nationality, 539

Copyright in Industrial Designs and Models, 539

what protected, 539
 who protected, 539
 duration, 540
 registration, 540
 infringement, 540
 what is not piracy, 540
 nationality and reciprocity, 540, 541

copyright convention with, 505, Appendix (K.)

• GIFT OF MANUSCRIPT not a parting with copyright, 48

‘ GIPPS’ LAND MERCURY,’ 101

‘ GLASGOW HERALD,’ 470

GLASS,

copyright in designs as applied to, 412, 438

‘ GLORY,’ 340

- ‘GOING TO WORK,’ picture by Eddis, 392
- ‘GOLD,’ 339
- ‘GOOD-NIGHT! HEAVEN BLESS YOU!’ 247
- ‘GOOD WORDS,’ 340, 341, 463
- GOODS AND CHATTELS,
copyright in newspaper included in that term in Bankruptcy Act, 461
- GOVERNMENT,
right of, to publish or withhold private letters, 53
as to copyright same as individuals, 126
may own copyright, 126
principle on which the right is founded, 53, 54
no claim to work by an officer independently of his official duties, 126
- GRAMMAR, LATIN,
right to print, 289
- GRATUITOUS CIRCULATION a publication, when, 111
” ” an infringement of copyright, 216
- GRAY’S POEMS, published with additions, 39
- GREAT WESTERN RAILWAY INQUIRY (The), 192
- GREECE,
copyright in, 566
duration of, 566
reciprocity, 566
- GRENADA,
adopts the provision of the 10 & 11 Vict. c. 95 .. 499
- GRIFFIN’S NOVEL OF ‘THE COLLEGIANS,’ 299
- ‘GUARDIAN ANGEL,’ (The), 764: *see Low v. Ward.*
- GUIDE,
copyright in Brewer’s, to science, 65
” illustrated furniture, 98
- GUILTY KNOWLEDGE: *see* IGNORANCE.
- HAIR,
copyright in designs composed of, 412, 647
- HAMBURG,
copyright treaty with, 1853 .. 506, Appendix (K.)
- ‘HANDBOOK FOR TRAVELLERS IN SWITZERLAND,’ 213, 764
- HANOVER,
copyright treaty with, 1847 .. 506, Appendix (K.)
- ‘HAPPIEST DAY OF MY LIFE’ (The), 162
- ‘HAPPY LAND’ (The), 315, note (a)

HEAD-NOTE OF REPORT,

- copyright in, 62
- definition of, 63, 208
- may be considered as a digest, 63, 208
- Mr. Justice Crowder's opinion of the, 62

HEARING,

- before, not necessary to apply for interlocutory injunction, 259
- as to bringing cause to, where interlocutory injunction has been granted, 259
- plaintiff entitled to bring the cause to, 271
 - where he does so in face of offer of defendant, 272
- as to dissolution of injunction on, 259, 260
- injunction may be continued to, though equity of case fully answered, 260

'HECYRA,'

- sale of, by Terence to Roscius, 2

'HERO (A) AND MARTYR,' 470**'HERO AND LEANDER,'** 247**HIRE,**

- letting books to, prohibited by 5 & 6 Vict. c. 45 .. 638
- paintings, drawings and photographs to, prohibited by 25 & 26 Vict. c. 68 .. 697, 698

HISTORY OF LITERARY COPYRIGHT: *see* Chapter I.**HOGARTH REFERRED TO,** 351, 354, 616**'HOLIDAY TIME,'** 392, 393**HOLLAND,**

- copyright in, 527
 - „ term of, 527, 528
 - „ what entitled to, 529
 - „ penalty for infringement of, 528
- deposit of copies of books in, 529
- prohibition of importation of pirated copies, 529
- new draft law extending term of copyright in, 529

HOPP'S 'LIFE OF JESUS,' 91**HORACE**

- quoted, 172, 197
- examples of imitations from, 197

'HORSE FAIR,' Rosa Bonheur's picture, 371**'HOW I LOST THE COUNTY,'** 194**'HOW TO DRESS ON £15 A YEAR,'** 609**'HUGUENOT' (The),** picture by Millais, 372, 373**HUNT'S (HOLMAN), 'LIGHT OF THE WORLD,'** 371**HYMNS,**

- copyright in collection of, 43

IDEAS,

- what, 1
- free, 6
- not capable of visible possession, 5
- no copyright in, 5, 37, 66, 100, 173
- when embodied in words, 6, 37
- imitation of, 197
- must be taken in abridging a work, 202

IDENTIFICATION,

- literary copyright capable of, 3, 5

IDENTITY,

- substantial test of piracy, 200
- see* ORIGINALITY; SIMILARITY.

IGNORANCE

- of committing piracy no excuse, 67, 305, 367
- of wrong in selling altered copies of works of art may be pleaded, 403, note (a), 697, 698

' I'LL CAST MY ROSE ON THE WATERS,' 95

ILLUSTRATED BOOK,

- form of injunction restraining publication and sale of, 763

' ILLUSTRATED FURNITURE GUIDE,' 98

ILLUSTRATIONS: *see* ENGRAVINGS, PRINTS AND PHOTOGRAPHS.IMITATION: *see also* INFRINGEMENT OF COPYRIGHT.

- examples of, 196, 197
- infringement of copyright by, 196
- not every, a proof of plagiarism, 201, 268
- fraudulent, under Designs Act, 436, 446, 649
- not within the International Copyright Act, 481, 687, 707
- what is a fair, 197
- of Homer by Virgil, and Horace, 197
- of wrapper, 72
- of foreign works, 481
- distinction between a copy and an, 196

IMMORAL WORKS,

- no copyright in, 84, 315, 375
- contracts concerning not enforceable, 93, 580, note (c)

IMMORTALITY OF THE SOUL

- work denying, not protected, 88

IMPORTATION

- of pirated works prohibited, 27, 114, 217-221, 638, 718
- action for damages against, given by 5 & 6 Vict. c. 45 .. 223, 638
 - as to separate penalties, 224, note (a)
 - ignorance no defence, 218
 - may be sustained though no copy sold, 218
 - copies to be seized and destroyed, 217, 638
- provisions of customs laws respecting, 219, 221, 224, note (b), 717, 718
- for gratuitous circulation, unlawful, 223, note (a)

IMPORTATION—*continued.*

- penalties, forfeitures and damages for, in case of engravings and prints, 616, 699
- of paintings, drawings, and photographs protected by 25 & 26 Vict. c. 68.. 406, 700
- prohibited by International Copyright Act, 492, 675, 689
- from colonies, 679, 708, 718
- first Act making unlawful, 615

IMPORTER

- cannot plead want of knowledge of piracy, 225

IMPROVEMENTS: *see* ADDITIONS.INCIDENTS: *see* SCENES.INDECENT PUBLICATIONS: *see* IMMORAL WORKS.

INDIA,

- copyright in, 506
- „ term of, 506
- „ „ in book published after author's death, 506
- „ registration of, 506
- „ „ fees payable on, 506
- „ „ certificated copies of, 506

INDICES OF TITLE

- copyright in, 46, note (b)

INFRINGEMENT OF COPYRIGHT,

In Books.

- considerations for judging of an, 172, 175
- „ the *animus furandi* not to be relied on, 173 and note (b)
- plagiarism not necessarily an, 173, 197, 201
- the latter work to be an, need not serve as a substitute for the former, 174
- modes adopted for, 186
- by reproducing the whole *verbatim*, 186
- „ *verbatim* a part, 186
- by piratical criticism, 191, 192
- by imitation of wrapper, 72
- by quotation, 188
- by reviewing, 194, 196
- by reproduction in an abridged form, 201
- by copying general arrangement, 215
- by way of digest, 208
- by translation, 211, 214
- by abridgment, 56, 60
- by gratuitous distribution of copies, 216, 217
- by importation, 217, 221
- „ offence committed though no copy sold, 218
- in directories, 15, 177
- in dictionaries, 181
- in reports, 194
- in titles: *see* TITLES.
- quantity but slight criterion, 61, 187
- substantial identity test of, 200
- ignorance no excuse for, 67, 82, 83, 194, 196, 218, 253, 305

INFRINGEMENT OF COPYRIGHT—*continued.**In Books—continued.*

custom of trade no excuse for, 194, 196
 what not an, 196, 197, 201
 of part of work only to what extent injunction to go, 242, 243
 Lord Hardwicke's opinion, 243
 acquiescence in, fatal to subsequent action, 216, 217
 trifling, 241, 314, 315

In a Dramatic Piece,

committed only by one taking part in performance, 305
 case of *Lyon v. Knowles*, 300
 Marsh v. Conquest, 307

an, not committed by dramatizing a novel, 216
 by taking certain 'scenes or points,' 313, 315
 by dramatizing novel, 336, 340
 a spectacular piece, 310

In a Musical Composition, 209, 210, 211, 330

a song, 308, 310, 312, 346
 what constitutes a piracy, 210, 211

In Engravings, 368

what is, 368
 what not, 374
 by photography, 370, 371
 but not by copies made by hand, or designs transferred to an article of
 manufacture, 372,
 case of *Dicks v. Brooks*, 372, and Appendix (I.)

In Sculpture, 385

not infringed by drawings or photographs, 386

In Paintings, Drawings, and Photographs, 397, 697

a criminal offence, 404
 where effected by copying a copy, 398
 by public exhibition, 399
 penalties for, cumulative, 400

In ornamental and useful Designs, 435, 438, 649, 659

penalty for, 649, 652, 659
 proceedings in cases of, 441, 649

In Foreign Countries,

France,
 in books, 516
 in musical and dramatic works, 520
 in unpublished play, 521
 in photographs, 522

Belgium, 525, 527 *note*, 528 *note*

Holland, 528

The German Empire

in books, 531
 in translations, 531
 in music, 532
 in dramatic works, 537
 in artistic works, 537

 what acts piratical, 537
 exceptions, 537

in photographs, 539

in industrial designs and models, 540

Austria and Hungary, 542

Norway,

 in books, 544

INFRINGEMENT OF COPYRIGHT—*continued.**In Foreign Countries—continued.*Norway—*continued.*

in translations, 545

in dramatic works, 546

in artistic works, 548

what is not piracy, 548,

works of art in public places, 548

in photographs, 549

Sweden,

in books, 551

in translations, 561

what is not piracy, 551

in dramatic and musical works, 555

Denmark,

in books, 565

in dramatic and musical works, 555

Spain, 557

Portugal, 558, 559

Italy, 560

Switzerland, 562

Turkey, 563

Russia,

in books, 565

in artistic works, 565

United States, 572, 722, 723

Remedies for: *see* REMEDIES FOR INFRINGEMENT.

INJUNCTIONS,

remedy by: *see* REMEDY IN EQUITY.

definition of, 233

on common law right, 27, 28, 234

principles on which issued, 15, 28, 234

on what evidence issued, 235

the publication of private letters restrained by, 44, 45

Mr. Justice Story's opinion, 48

breach of contract, ground of, 49

Lord Mansfield's opinion on the issuing of, 29, 234

modern practice on the issuing of, 235

auxiliary to legal right, 237

in granting Court will exercise its discretion, 238

in what cases issued, 235, 238

Lord Eldon's opinion, 235, 236

in Scotland, 240

not issued when action could not be maintained, 239

„ where fair doubt as to whether damages could be recovered,
240

„ in trifling cases, 241

„ where evidence of plaintiff contradicted by defendant, 240

as to continuation of, or its dissolution, 241, 259, 260

when part only of work piratical, 73, 242

to what extent it is to go, 243

Lord Eldon's opinion, 244

due diligence to be observed in applying for, 248

what sufficient excuse for delay, 249

tendency of modern decisions, 250

to obtain not necessary to shew fraud, 73

to restrain sale of sheet almanac printed from a directory, 178

INJUNCTIONS—*continued.*

- to restrain articles from a periodical being copied into a newspaper, 194, 196
- equitable title which will support, 236
 - mere agent has not such title, 237
 - primâ facie* title must be shewn, 237
- where there is a similarity of appearance in works, 247
- where publication is falsely represented to be the work of another, 247
- not granted generally where there has been acquiescence, 252
- objections to granting before the hearing, 242
- where the publication is of a temporary character, 257, 258
- as to bringing cause to hearing, where granted, 259
- not necessary to apply for interlocutory, 259
- usual method of obtaining dissolution of, 260
- may be granted without proof of damage, 260
- damages by defendant against plaintiff having obtained an, 261
- will not be refused against seller because proceedings not taken against publisher, 262
- will not be granted by one partner against another for publishing account of invention, 262
- application for, before answer to be supported by affidavit, 263
 - nature of affidavit, 263, notes (c) and (d)
- forms of, 262

Literary Copyright,

- restraining publication of poems, 760
- topographical dictionary, 760
- order restraining publication of books awarding damages and directing an account, 760
- use of name—injury to employer's property, 760
- publication of a magazine as a continuation of plaintiff's magazine, 761
 - in breach of contract, 761
- name and title-page of song, 761

Titles,

- name of newspaper, 761
 - soliciting customers, 762
 - injury to periodical, 762

Dramatic and Musical Copyright,

- as to an operatic magazine, 762

Engravings and Etchings,

- collection of etchings, 762
- etchings improperly obtained and published—Decree—Delivery up, 763
- illustrated book, 763

Designs

- as to catalogue of designs, 764
- as to woven fabrics and delivery up of articles, 764

Miscellaneous

- staying publishing of newspaper, 764
- as to partial infringement, 764
 - selection of poems, 764
 - handbook, 764
 - directories, 764
 - portions of work, 764
 - piracy of book and order as to damages, 764
 - directory, not to extend to advertisements, 764

INJUNCTIONS—*continued.*forms of—*continued.**Miscellaneous—continued.*

printing a dramatized novel, 765

piracy of maps and inquiry as to damages, 765

under Designs Act, as to mantilla shawls, 765

points as to costs in connection with, 271, 273

instances where assignee by parol obtained an, 265, note (a)

to stop performance of pirated dramatic works, 295, note (a)

orders for, under 25 & 26 Vict. c. 68 .. 378

INNOCENT,

work must be, to be entitled to copyright, 84

INQUESTS,

statements made *ex parte* at, 285

INSPECTION,

register at Designs Office open to, 429, 655, 734, 738

who may search and as to what designs, 429, 655, 734, 738

under International Copyright Act, 477, 674

orders for, under 25 & 26 Vict. c. 68 .. 378, 700

INSTRUMENTAL MUSIC,

copyright in, 294

INTENTION,

dishonest, not necessary to constitute piracy, 67, 173, 305, 367

need not be shewn in printer or importer under 5 & 6 Vict. c. 45 ..

218, 225

INTERDICT,

when issued, 49, 218

INTERLOCUTORY INJUNCTION: *see* INJUNCTIONS.

INTERNATIONAL COPYRIGHT,

the first Act, 472, 631, 669

offspring of modern civilization, 471

regulated by 7 Vict. c. 12, and 15 Vict. c. 12 .. 472, 669

Act of 1837 refers solely to books, 473

increased power conferred to conclude treaties, 473, 671

order may specify different periods for different foreign countries and for

different classes of works, 478, 676

no order to have effect unless stating reciprocal protection secured, 478,

676

order made under Act to be published in Gazette, 478, 676

articles of political discussion in newspapers may be reproduced, 480, 687

translations not prevented by, 214, 479, 677, 686, 687, 707

suggestion of Copyright Commissioners as to translations, 491

what is a translation, 485

requisites in order to obtain protection, 473, 486, 673, 688

convention between England and France, 487

difference between the Act and the French treaty, 488

registration, 475, 487, 673

" fees for, 488

" of books published anonymously under this Act, 477, 674

" effect of, 477

INTERNATIONAL COPYRIGHT—*continued.*

as to expunging or varying treaty grounded on wrongful first publication, 477, 675

proposal of Copyright Commissioners as to registration, 478

dramatic pieces and musical compositions, 474, 475, 481, 672

fair imitations or adaptations not prohibited, 481, 687, 707

construction of 19th section, 334, 489, 490, 491

its applicability to native as well as foreign authors, 489, 490

dramatic pieces and right of performance, 492, 672

as to registration of dramatic or musical piece in MS., 475, 673

character of copies to be delivered at Stationers' Hall, 475, 673

mode of entry under Acts, 476, 673, 688

cases of *Wood v. Boosey*, *Boosey v. Fairlie*, 476

in engravings, 376, 473, 672

as to registration of engravings and prints, 475, 673

proprietors of foreign prints must comply with Engravings Acts, 489

in sculpture, 672

INTERPRETATION CLAUSE

of the 5 & 6 Vict. c. 45 .. 632

” ” c. 100 .. 656

” 7 Vict. c. 12 .. 677

” 13 & 14 Vict. c. 104 .. 685

INTESTACY,

provision for transfer or devolution of copyright in case of, 156, 641

IRELAND,

Engravings Acts, extended to, 370, 630

summary recovery of penalties under Engraving Acts in, 377, 699

remedy under Designs Act in, 443, 652

in what way letters patent for Bible regarded in, 277

IRRELIGIOUS,

no copyright in, work, 84

ITALY,

Literary Copyright, 559

duration, 559

translation, 560

works of academies and public bodies, 560

registration, 560

assignment, 560

piracy, 560

penalties, 561

Dramatic and Musical Copyright, 561

right of representation, 561

Artistic Copyright, 561

‘IT IS NEVER TOO LATE TO MEND,’ 336

IVORY,

copyright in designs as applied to, 412, 683, 735

JAMAICA

adopts the provisions of the 10 & 11 Vict. c. 95 .. 499

JAPAN,

- copyright in, 567
- „ duration of, 567
- „ translations in, 567

JEFFERYS *v.* BOOSEY, celebrated case of, 31, 118, 122, 166, 167

JOINT AUTHORSHIP, WHAT IS, 130, 131, 133, note (a), 321
 what is not, in a musical arrangement, 129, 321

- adventure, what is a, 599
 - not assignable, 601
 - terminable by notice, 602, 603

owners may contract between themselves as to printing and publishing
 599, note (a)

‘JOHN BULL’ (The), 73

JOHNSON’S (DR.) ‘RASSELAS’ abridged, 60, 203
 opinion as to imitations, 196, 197, 201

JUDICATURE ACTS, effect of, 222, 257

JUDICIAL COMMITTEE OF PRIVY COUNCIL,
 may license republication of books, 109, 633

JUDICIAL DECISIONS: *see* JUDGMENTS.

JUDGMENTS,

- right of using, in text-books, 63
- belong to the government, 126
- making injunction perpetual as to copyright, 765
- of the Lords Justices in late case of *Dicks v. Brooks*, 766

‘JUDY,’ 72, 247

JURISDICTION: *see* REMEDIES FOR INFRINGEMENT OF COPYRIGHT.

‘JURIST’ (The), 77, 463

JUSTICE,

- sales of original compositions founded on natural, 2
- no copyright in works parodying, 92

‘JUSTICE OF THE PEACE,’ (Burn’s), 584

‘KATHLEEN MAVOUREEN,’ 232, note (a)

‘KING’S WAGER,’ (The), 131, 321

KING’S INN AT DUBLIN,

- delivery of copies of books to, 153

KNOWLEDGE OF PIRACY,

- ignorance no defence for piracy generally, 67, 305, 367
- printer or importer of books without, liable under 5 & 6 Vict. c. 45 .. 218,
 225
 - must be shewn in seller, 225
- seller of engravings and prints not liable to penalties and forfeitures under
 8 Geo. 2, c. 13, when ignorant of piracy, 367, 368, 614
 but is liable to damages under 17 Geo. 3, c. 57 .. 367, 368, 622

KNOWLEDGE OF PIRACY—*continued.*

must be shewn to subject importer, seller, or publisher to penalties under
25 & 26 Vict. c. 68 .. 398, 402, 403, 697, 698
but not copyists or printer, 403, 698
plaintiff in equity not responsible for delay when ignorant of piracy, 134

LABEL,

no copyright in, 100
may be rejected by the Registrar under Designs Act, 449

LACE,

copyright in designs applied to, 412, 647, 735

LACHES : *see* ACQUIESCENCE.

'LADY AUDLEY'S SECRET,' 129, 338, 765 : *see* *Tinsley v. Lacy.*

'LADY OF THE LAKE,' 104

LANDSEER'S PICTURE 'EVE OF THE BATTLE OF EDGEHILL,' 404

LATIN GRAMMAR,

right to print, 289
prerogative right to, claimed by the Crown, 289

LAURENCE'S LECTURES ON PHYSIOLOGY, &c. 88

LAW, REMEDIES IN : *see* REMEDIES FOR INFRINGEMENT OF COPYRIGHT.

LAW REPORTS : *see* REPORTS.

LEADING CASES : *see* SMITH'S LEADING CASES.

LECTURES,

copyright in, 17, 18, 54, 628
nature of, 54
when reduced into writing, 54
what not a publication of, 18, 57
the Act of 5 & 6 Will. 4, c. 65 .. 55, 628
not to prohibit publishing of lectures after expiration of copyright,
629
what not within the 5 & 6 Will. 4, c. 65 .. 56, 629
what to be done to obtain copyright in, 56, note (a)
few, protected by Act, 56
doubtful whether copyright applies to, not previously in writing, 57
unpublished, may be delivered by any person, 57, note (b)
but delivery of, by other than author, seems to infringe author's rights in
the MS., 57
admission of persons to hear, does not permit subsequent publication of
the same, 54, 55, 629
penalties on persons publishing, without leave, 628
printing and publishing of newspapers, 629
on physiology &c. by Lawrence, 88
decision in France as to, 57
alterations suggested by Copyright Commissioners, 57

LEGAL FORMS : *see* PRECEDENTS.

LEGAL REPORTS: *see* REPORTS.

LEGAL TITLE: *see* INJUNCTIONS; REMEDIES FOR INFRINGEMENT OF COPYRIGHT.

LENT

MS. does not confer right to print, 8
 photographs do not confer right to copy, 375

'LESTOCQ', AUBER'S OPERA, 209

LETTER PRESS,

meaning of expression, 'sheet of,' 100
 engravings published with, 359, 632

LETTERS,

copyright in private, 43
 distinction between literary and commercial, 45
 " " " " not now drawn, 46
 " " " " why not, 46
 " " " " Story's opinion as to, 48
 what is a publication of private, 52
 when the publication of private, permitted, 50
 " " " " not permitted, 50, 51
 " " " " in Scotland, 49
 Cicero's opinion on the publication of private, 49
 to newspapers, 51
 to public officers, 53
 by solicitors of a company, 43, note (b)
 written by one person for or on behalf of another, 52
 used in evidence not deemed published, 110, note (d)
 whether, can operate as assignment of copyright, 165
 Burn's, 49, note (c)
 Lord Chesterfield's, 44, 49, note (c)
 Lady Tyrawley's, 45

LETTERS PATENT,

for printing the Bible and Prayerbook, 274, 276
 how regarded in Ireland, 277
 " in England, 277
 for Acts of Parliament and matters of state, 280
 no copyright in specification of letters patent, 96

LEXICON, PIRACY OF, 175

LIBELLOUS WORK,

no copyright in a, 84, 375
 contracts concerning, 580

LIBRARIES,

delivery of copies of books to, 114, 151-155, 634, 676
 distinction between delivery to the British Museum and the other, 114,
 151, 152, 634
 delivery of copies of books to Smithsonian Institution, 153, note (a)
 " " Library of Congress, 719, 720

LICENCE,

to publish, 20, note (a), 161
 attestation of, 160, 165

LICENCE—continued.

- to perform dramatic pieces, 315, 316 : *see also* THEATRES.
- to publish not an assignment, 171
- to use designs must be in writing, 431
- Privy Council may, the publication of any book, 109, note (a), 633
- intended, to use music implied from contract of employment, 131
- effect of intended, 134
- difference between, and assignment of copyright, 161, note (b)
- assignment of copyright may be limited to, 392, 393
- form of, to print one edition of a work, 750
- see also* CONSENT OF AUTHOR.

LICENSING ACT, 21

- continued by other Acts, 23
- attempts to obtain a new, 25

LIEN

- of bookseller on copyright, 591, note (a)
- of printer on undelivered copies, 594, note (a)

'LIFE OF JESUS WRITTEN FOR YOUNG DISCIPLES,' 91**'LIGHT OF THE WORLD,' Holman Hunt's picture, 371****'LIKE TO LIKE,' 482****LIKENESS WITHOUT IDENTITY : *see* IDENTITY ; IMITATION ; SIMILARITY.****'LILLIE DALE,' 316****LIMITATIONS**

- of actions to be brought, 228, 615, 617, 641, 667
- to what actions does not apply, 229, 250, 251, 641
- under 8 Geo. 2, c. 13, does not apply to actions on the case under 17 Geo. 3, c. 27 .. 404, note (a)
- under 54 Geo. 3, c. 56 .. 625
- under 3 & 4 Will. 4, c. 15 .. 628
- under 5 & 6 Vict. c. 45 .. 641
- under Designs Act, 444, 653
- against printers for not printing name and abode of, 458, 704

LIMITED ASSIGNMENT

- as to locality, 166
- as to time, 167, 168

LINEN,

- copyright in designs applied to, 412, 647, 735

LIST OF BOOKS TO BE SUPPLIED TO COMMISSIONERS OF CUSTOMS, 219, 717

- of shipping protected, 40, note (c)

LITERARY PROPERTY,

- definition of, 1
- its nature, 1
- early rules, 2
- mode by which early, made profitable, 2
- sales in early times, 2
- copyright not at first known as a species of, 3
- distinct properties not adjusted at same time, 3

LITERARY PROPERTY—*continued.*

- a distinguishable property, 3
- Mr. Justice Erle's view of, 4
- definition of property by some too narrow, 3
- has a distinguishable existence and is of value, 5
- no, in mere ideas, 5
 - „ reason, 5, 6
- in material embodying them, 6
- author's right to the first publication of his own MS., 6
- cannot be seized by creditors as property, 7
- may have conditions and restrictions annexed to use by author, 7
- right of authors in, described by Lord Mansfield, 7
 - „ „ Mr. Justice Erle, 8, note (a)
- injunctions granted to protect, 8, 9
- the statutes do not affect right to, before publication, 10
- before publication, 11, 14
- what amounts to publication of, at common law, 17
 - what does not, 18
- author's right to, does not pass by, 19
- effect of publication, of, 19
- primary recognition of copyright in, 19
 - original charter of the Stationers' Company, 19
 - abolition of Star Chamber, 21
 - the Licensing Act of Car. 2.. 21
- ordinance of the Stationers' Company in 1681.. 24
- a bylaw of the Stationers' Company in 1694.. 24, 25
- a petition presented to Parliament in 1709 for protection of, 25
- the first Act relating to, 25, 26, 613
- what renders a work a, 47
- letters whether to be regarded as, 47, 48
- a dramatic work in MS. protected like a, 300, 301
- falsely represented to be the work of another, 247
- see also* COPYRIGHT.

LITHOGRAPHIC COPIES

- privately distributed a publication, 111
- „ „ a piracy, 216

LITHOGRAPHS: *see* ENGRAVINGS.

- copyright in, 570, 691
- may be infringed by photography, 370, 371

'LITTLE (A), TOUR IN IRELAND,' 598

LOCAL RIGHT

- copyright a, 156

LOCALITY

- divisibility of copyright as to, 166

LOCKHART'S NOTES TO SIR WALTER SCOTT'S WORKS, 103, 215, 216

'LONDON JOURNAL,' 69, 585, 762

'LONDON RIGHT'

- meaning of assignment of, in dramatic composition, 350

'LONDON SOCIETY,' 586

LORD CHAMBERLAIN: *see* THEATRES.

'LOVE À LA MODE,' 9, 295

MAGAZINE: *see also* PERIODICAL PUBLICATIONS.

form of injunction restraining sale of operative, 762

" " injury to, 762

" " publication of, as a continuation of another,
761

" " publication of, in breach of contract, 761

MAGICAL APPARATUS,

catalogues of, 96, note (c)

'MAN OF HIS TIME' (The), 188

MANSFIELD'S (LORD)

definition of author's right, 7, note (c)

opinion on issuing injunctions, 29, 234

in *Donaldson v. Becket*, 30

MANTILLA SHAWLS: *see* SHAWLS.

MANUSCRIPT,

gift of, does not confer right to publish, 48

" " except where this the intention, 134

injunction will be granted to restrain publication of, obtained surreptitiously, 247

does not pass to assignees in bankruptcy, 157

author's right to first publication of his own, 6, 57, 85

cannot be seized by creditors, 7, 157, 158

claim in respect of destruction of, 87

assignment of, 8, note (a), 158, 159, 160

Lord Cottenham's opinion as to right of author in, 10

may be owned by government, 126

musical compositions in, 18, 293, 301: *see* MUSICAL COMPOSITION.

the right of representation of plays, 322

common law right to exclusive representation of, play, 301

how common law right of representation of, lost, 301

musical compositions in, what necessary to register, 301

quære where, being registered and piece after printed and not registered,
copyright affected, 301

date when copyright in, play begins, 302

dramatic piece or musical composition in, under International Copyright
Act may be registered, 475

need not be deposited, 475

lectures in, orally delivered protected, 55-57

" not in, doubtful if protected, 57

MANUFACTURE,

an article of, not a subject of registration, 440

a design transferred to an article of, not a piracy of an engraving, 372

MAPS,

description of, 363

MAPS—continued.

- degree of originality necessary in, 42, 65, note (a), 183, 184
- copyright in, 41, 110
- published separately, protected under Engraving Acts, and also Literary.
Copyright Act, 360
- with letter-press protected by the Act of 1842.. 360
- registration of, 147-151, 360
- protected as engravings, 360

MARGINAL NOTES: *see* **SIDE NOTES.**

‘**MARINO FALIERO,**’ **BYRON’S,** 33

MARK OF REGISTRATION, 414, 427, 647
 no, required in sculpture, 427
 wrongfully using, 427, 652
 on articles provisionally registered, 427
 articles sold abroad, 429

MARTIN’S PICTURE, ‘**BELSHAZZAR’S FEAST,**’ 374

MATERIALS, COMMON,
 no copyright in, 42, 214, 215: *see also* **COMPILATIONS.**

MATHEMATICAL TABLES,
 copyright in, 43

MAURITIUS,
 adopts the provisions of the 10 & 11 Vict. c. 95.. 499

MAXIMS,
 copyright in collections of, 43

MEANING: *see* **CONSTRUCTION; DEFINITIONS.**

‘**MELBOURNE ARGUS,**’ 101

MELVILLE’S (LORD) TRIAL, 284

‘**MEMOIR OF HARRIETTE WILSON,**’ 93

‘**MEMOIRS OF THE LIFE OF MRS. BELLAMY,**’ 204

MENDELSSOHN’S MUSIC TO SHAKESPEARE’S ‘MIDSUMMER NIGHT’S DREAM,’ 762

‘**MERCHANTS’ AND MANUFACTURERS’ POCKET DIRECTORY OF LONDON,**’ 764:
see *Morris v. Ashbee.*

MERIT: *see* **VALUE.**

METAL,
 copyright in designs as applied to, 412, 646, 735

MEXICO,
 copyright in, 567
 perpetual, 567
 registration of protected works in, 567
 right of representation in, 567
 artistic copyright in, 567

- ‘MIDSUMMER NIGHT’S DREAM,’
injunction to restrain solos from, 762’
- MILLAIS’ PICTURE, ‘THE HUGUENOT,’ 372, 373
- MILLAR *v.* TAYLOR,
case of, 29, 33, 34
- MILTON’S ‘PARADISE LOST,’
pirated, 28, 243, 760
- ‘MINNIE,’ SONG, 73, 346, 761
- ‘MINNIE DALE,’ SONG, 346
- ‘MINNIE, DEAR MINNIE,’ SONG, 346
- ‘MINSTRELSY OF THE SCOTTISH BORDER,’ 103, 215, 216
- MISCELLANIES, POPE’S AND SWIFT’S, PIRATED, 27
- MODE OF REGISTERING DESIGNS, 417, Appendix (D.)
- MODELS: *see* SCULPTURE.
- ‘MOMENTOUS QUESTION,’ 230
- ‘MONTHLY CHRONICLE,’ 192
- MORTGAGE OF SHARE IN NEWSPAPER,
whether requires registration, 466
- MUNICIPAL LAW,
copyright only conferred by, 115
- MURRAY’S HANDBOOK FOR TRAVELLERS IN SWITZERLAND, 213
- MUSICAL COMPOSITION,
what is a, 293
copyright in a, 293
value of property in a, 17
originality required in a, in America, 65, note (a)
effect of words “written and composed” on, 95
written to the order of another, 129
joint authorship in, 130, 131
in manuscript how protected, 293
within the Literary Copyright Act, 293, 639, 640
case of *Bach v. Longman*, 294
sale of copyrights in recent years, 294, note (a)
songs, 293, note (a)
adaptation of words to an old air, 294, 302, note (a), 346
instrumental music, 294
the 3 & 4 Will. 4, c. 15 .. 299, 626
double costs given by last Act, taken away, 300
extension of the 3 & 4 Will. 4, c. 15, to, 300, 639, 640
the 5 & 6 Vict. c. 45, does not deprive proprietors of remedies given by
Will. 4 .. 301, 640
single sheets of music entered at Stationers’ Hall, 293, note (a), 294
interpretation clause of Copyright Act, 1842 .. 294, 632
for stage, 294

NAME,

- registration of, of intended work gives no copyright, 66, 81, 142
- full, of person to be set out in registry, 137
 - sufficient if first publication be entered in, of firm, 138
 - of newspapers assumed, 470
- form of injunction restraining use of, and title page of song, 761
 - use of newspaper, 761
 - soliciting customers, 762
 - injury to periodicals, 762

NAME AND ABODE

- of printer to be placed on every book, 82, 457, 458, 705
- of proprietor to be entered on register, 82, 136, 139
- and date to be placed on engravings, 358, 614
 - ” ” sculpture, 624

NAMES,

- no copyright in dry list of, 96

NAPOLEON'S, opinion of a perpetuity, 107

- life of, illustrated by caricatures, 188, 189, note (a)

NATAL,

- adopts the provisions of the 10 & 11 Vict. c. 95.. 499

NATIONAL LIBRARY AT PARIS,

- delivery of books at the, 487, 515

NATIVE AUTHORS: see AUTHORS; FOREIGNERS.

- nature of copyright, 1, 120, 156

NAUTICAL ALMANAC,

- right to print, 289

NEGATIVE OF PHOTOGRAPH,

- to whom belongs, 408

NELSONS' 'FESTIVALS AND FEASTS' PIRATED, 28

NETT PROFITS: see PROFITS.

'NEVER TOO LATE TO MEND,' READE'S NOVEL, 32, 336

NEVIS,

- adopts the provisions of the 10 & 11 Vict. c. 95.. 499

NEW: see EDITION; ORIGINAL.

NEW BRUNSWICK,

- adopts the provisions of the 10 & 11 Vict. c. 95.. 499

'NEW ERA,' 172

NEWFOUNDLAND,

- adopts the provisions of the 10 & 11 Vict. c. 95.. 499

NEWSPAPERS,

- when first used in England, 453
- the oldest extant, 453, note (a)
- the Acts of Parliament relating to, 453, 702, 703, 704, 705, 706
- copy of each, to be kept, and if required produced, 453, 703
- bill for discovery as to name of printer, &c. not demurrable.. 454, 705
- case of *Dixon v. Enoch*, 454
- prosecution to be commenced within three months, 458, 704

NEWSPAPERS—*continued.*

- prosecution, how to be conducted, 458, 705, 706
- name and abode of printer to appear, 453, 457, 458, 704, 705
 - when printed at Universities, 458, 705
- printer's name not appearing cannot recover for work, 458, note (a)
- copyright in, 66, 144, 459
 - included in terms "goods and chattels" in Bankruptcy Act, 464
- no copyright in prospective series of 66,
 - but may attach upon each successive publication, 66, 144
- need not be registered, 144, 459
- mortgage of a share in a, not an assignment of copyright, 466
 - whether to be registered, 466
- letters written to, 51
- articles in, 470
 - in foreign, of political nature, 687, 688
- not a book, 459
- name of, may not be assumed for purpose of deception, 470
 - nor for supplanting good will, 470
- may not copy whole tales sent to them to review, 194, 196
 - custom of trade no excuse, 194, 196
- enactments relating to newspapers, 701
- French registration of, 488
- form of injunction restraining use of name of, 761
 - " " soliciting customers, 762
 - " " injury to periodical, 762
 - " " publication of, 764

NEWSPAPER TELEGRAMS,
copyright in, 100

NEWTON'S NOTES TO 'PARADISE LOST,' 28, 243, 760

NORWAY,

- copyright in, 543
 - laws relating to, 543
- Works of Literature*, 543
 - what protected, 543
 - persons protected, 543
 - translations, 543
 - duration, 543
 - registration, 544
 - alienation, 544
 - piracy and infringement, 544
 - what is piracy, 544
 - piratical translations, 544
 - what is not piracy, 545
 - works being out of print, 545
 - penalties, 545
 - right to protection lost by delay, 545
 - nationality and reciprocity, 546
- Musical and Dramatic Works*, 546
 - representation within the meaning of the law, 546
 - consent of joint authors, 546
 - right of representation not assignable without consent of author, 546
 - duration of right of representation, 546
- Artistic Copyright*,
 - what protected, 547

'NOT ABOVE HIS BUSINESS,' 340

NOTES,

Newton's, to 'Paradise Lost,' 28, 243, 760
 how far, constitutes new work, 102
 to the Bible, 277
 to statutes, 286
 Lockhart's, to Sir Walter Scott, infringed, 103, 215, 216

NOTICE,

of objection to plaintiff's title, 226, 637
 forms of particular, 227, note (b)
 position of defendant when not given, 228
 when sufficient, 227
 amendment of, 227
 to terminate a joint adventure, 599, 603
 to be given to Commissioners of Customs, 219, 220
 by Universities of copies of books to be delivered to them, 151, 152

NOVA SCOTIA,

adopts the provisions of the 10 & 11 Vict. c. 95 .. 499

NOVEL,

arrangements, copyright in, 38, 39, 40, 43, 63, 174, 215
 may be dramatized without infringement of copyright, 216, 336
 drama from copyright, may not be printed, 337
 'It is Never too Late to Mend,' 32, 336
 author may protect, by dramatizing before publication, 340
 " " " but not after publication, 340
 suggestions of Copyright Commissioners as to dramatization of, 341,
 note (a)

NOVELTY : *see* ORIGINALITY.

OBJECTION

to plaintiff's title in action : *see* NOTICE.

OBNOXIOUS PUBLICATIONS : *see* IMMORAL WORKS ; OBSCENE WORKS, &c.

OBSCENE WORKS,

no copyright in, 84, 375
 action cannot be maintained by printer for printing, 580, note (c)
 where part may be recovered, 580, note (c)

'OBSERVER' (THE), 284

OCCUPANCY,

right of an author founded on, 1
 ,, property founded on, 5

OFFENBACH'S OPERA, 'VERT-VERT,' 476

"OFFENCE,"

meaning of word in Copyright Act, 229, 251
 committed every time copy sold, 229, note (c)
 before registration not actionable under 25 & 26 Vict. c. 68 .. 395

OFFICES (PUBLIC),

letters addressed to, 53

OFFICIAL CORRESPONDENCE : *see* LETTERS.

OFFICIAL DOCUMENTS : *see* CROWN COPYRIGHT.

OFFICIAL REPORTS : *see* REPORTS.

OIL CLOTHS,
copyright in designs applied to, 412, 659, 735.

OLD COPIES,
common law right to, 27

'OLD JOE AND YOUNG JOE,' COMEDY, 318

'OLD MORTALITY,' 104

OLDENBURGH COPYRIGHT TREATY, 506, Appendix (K.)

OMISSION

to print name and abode of printer, 453, 457, 458
to register, effect of, 302

OPERA : *see also* MUSICAL COMPOSITION.

infringing airs in, 250

of the 'Duenna' infringed, 296, note (a)

there may be copyright in waltzes and quadrilles taken from unprotected,
342, note (a)

rights in, infringed by adapting therefrom waltzes and quadrilles, 330

'Vert-vert,' by Offenbach, 476

OPINIONS, JUDICIAL : *see* JUDGMENTS ; MANSFIELD.

ORAL LECTURES : *see* LECTURES.

'ORB' (THE), 145

'ORCHARDIST' (THE), 250

ORDER OF COUNCIL UNDER INTERNATIONAL COPYRIGHT ACT, 478, 486, 729,
731

what to contain, 478, 671, 672, 676, 687, 707

none to be valid unless reciprocity secured, 478, 676

to be published in 'London Gazette,' 479, 676

may be revoked, 677

Foreign Reprints Act, 679

to be published in 'London Gazette,' 679

laid before Parliament, 680

as to Canadian Act, 708

'ORDERED ON FOREIGN SERVICE,' 394

ORDINANCES OF THE STATIONERS' COMPANY : *see* STATIONERS' COMPANY.
Long Parliament, 21

ORIGINAL WORK,

every fair abridgment an, 201, 202, 591

translation an, 83

a book need not be entirely an, to obtain copyright, 38

whether copyright may exist in book not an, 65

ORIGINAL WORK—*continued.*

- a compiler must produce an, 181
- affected to some extent by abridgment, 201, 202
- as to photograph being an, 400
- a photograph of an engraving is an, 400

ORIGINALITY,

- legal definition of, 181
- some, necessary in every composition, 37
 - “ arrangement, 38, 39
- not necessary in the doctrines treated of, 65, 179, 180
- want of, in modern works, 173
- in result necessary in a compilation, 181
- degree of, necessary in maps, 42, 65, note (a), 183, 184
 - ” dictionaries, 181, 182, 183
- required in a musical composition in America, 65, note (a)
- hardly possible in engravings, 369

ORNAMENTAL DESIGNS : see DESIGNS.

‘OUR YOUNG FOLKS,’ 75, note (b)

OUT OF PRINT : see BOOKS.

OWNER : see ASSIGNEE ; AUTHOR ; PROPRIETOR.

OWNERSHIP : see PROPERTY.

OXFORD, UNIVERSITY OF : see UNIVERSITIES.

PAINTINGS AND DRAWINGS,

- copyright in, Chapter XIV., 695
 - ” term of, 389, 696
 - ” by whom may be claimed, 389, 390,
- last branch of fine arts protected, 387
- the claims of an artist to copyright in, considered, 387
- in most European countries copyright in, exists, 388
- existence of copyright is a protection to the purchaser of picture, 388
- the Act of 25 & 26 Vict. c. 68 .. 389, 696
- to preserve copyright in, what agreement to be signed, 389, 390, 696
- any person may copy picture in which there is no copyright, 391
- executed on commission, copyright in, 390
 - ” suggestion of Copyright Commissioners, 390,
 - note (b)
- architectural designs protected, 389, note (b)
- artist prohibited from reproducing after sale, 397, 407, 408
- artists’ studies and sketches, 407
 - ” replicas, 408
- assignment of copyright in, 391
 - ” when limited in effect, 392
- registration of copyright in, 391, 393, 394 : see also REGISTRATION.
 - how to be effected, 394
 - what description to be given, 394, 395, 697
 - description of ‘Ordered on Foreign Service,’ 394
 - ” ‘My First Sermon,’ 394
 - ” ‘My Second Sermon,’ 394

PAINTINGS AND DRAWINGS—*continued.*

- registration of copyright in—*continued.*
 - no action sustainable until, 395, 398
 - enactment of the 5 & 6 Vict. c. 45, as to, applicable, 395
 - except as to forms of entry, 396
 - aggrieved person, 397
 - expunging entry in register, 397.
- last assignment of copyright in, only need be registered, 395
- infringement of copyright in, 397
 - by the author, 397
 - by any other person, 397
 - by making a copy of a copy, 398
 - by a photograph of a drawing, 398
 - by drawing of a painting, 398
 - penalties attached thereto, 398, 697
 - cumulative, 400
- suggestions of Copyright Commissioners as to registration of, 396, note (a)
 - „ „ summary proceedings, 401
 - „ „ photographs, 407
- provisions for repressing fraud in production and sale of works of art, 402, 698
- penalties imposed as a punishment for a criminal offence, 409, 698
 - cannot be escaped by deed of composition with creditors 404, 405, 406
- rights in, not infringed by exhibition, 399
- as to license required to copy photographs, 398, note (a)
- importation of piratical, 406, 700
 - penalties, 406, 700
 - special action on the case, 406, 700
 - no limitation of time in which actions to be brought, 406
- provisions of International Copyright Acts extended to, 406
- Forms of Agreement under Works of Art Act, 1862*
 - memorandum of registration used at Stationers' Hall, 747
 - agreement between artist and purchaser as to a painting and the copyright therein, 755
 - entire reservation of copyright by the author, where work commissioned, 758
 - where he first sells non-commissioned work, 758
 - partial reservation of copyright by the author when his work has been commissioned, 759
 - where he first sells his non-commissioned work, 759
 - license by proprietor of copyright, 759

‘PALL MALL BUDGET,’ 454

‘PALL MALL GAZETTE,’ 454

PAMPHLET: *see* BOOK.

PANTOMIME,

- protected, 299, note (b)
- introduction of a dramatic entertainment, 305

PAPER,

- property in, on which a composition is penned, 43, 44
- hangings, copyright in designs applied to, 412, 646, 735 .

- PAPIER MÂCHE, '
copyright in designs applied to, 412, 683, 735
- 'PARADISE LOST,' 28, 243, 760
- PARAGUAY,
no copyright law in, 568
- PARIS,
purchase by, of Agave, 2
- PARLIAMENT,
ordinance of the Long, 21
Acts of: *see* STATUTES.
petition to, to protect copyright, 25
- 'PARLOUR LIBRARY,' (The), 78
- PAROL assignment not sufficient to pass copyright, 165, 318
- PART,
there may be copyright in, of work, 126
infringement of copyright by copying, 242, 243
injunction as to, 242, 243
of compilation, not new, not protected, 42
a title taken, 73
of work published in this country protected, 124
- PARTIAL
assignment of copyright, 166, 167, 168
infringement of copyright, 242, 243
as to registration of, 168
- PARTICULARS OF OBJECTIONS, 227, and note (*b*)
- PARTNERSHIP,
not constituted between authors and publishers by agreement to divide
profits, 601, 602
- PASSAGES may be selected from reports, 63
- PATENT,
no copyright in specifications of, 96
- PATENTS, COMMISSIONERS OF, 413, 715
empowered to extend time for protection of designs, 413
orders made by, to be registered, 413, 715
registrar and officers to be appointed by, 416, 425
to exercise power of Board of Trade, 715
transfer of duties of registrar to officers of, 716
- PATTERN,
persons have to register, under Designs Act, 417
when advisable so to register, 417
when not so, 418
when registration by, what protected, 418, 425
- PATTERN FOR BERLIN WOOLWORK,
design for a, not a piracy of an engraving, 372, 373, 766

PATTERSON'S ROAD BOOK, 39

PAYMENT,

of articles in magazines must be actually made to vest copyright, 76

'PEDIGREE OF THE ENGLISH PEOPLE,' 764 : *see Pike v. Nicholas.*

'PEG WOFFINGTON,' 599

PENAL CODE,

extract from, 511

PENALTIES : *see also* REMEDIES FOR INFRINGEMENT OF COPYRIGHT.

action for, to be brought within twelve months, 228, 250, 349, 615, 617, 625, 628

under Copyright (Works of Art) Act, 377, 397, 404

cumulative, 400

under Literary Copyright Acts, 641

entry must be correct to support, 137, 145

summary proceedings for recovery of penalties under Engraving Acts, and 25 & 26 Vict. c. 68.. 377, 621, 699

action for, under 3 & 4 Will. 4, c. 15.. 299, 305, 348, 349, 627

” ” Sculpture Acts, 385

for not delivering copies at the various libraries, 152, 635

for omission to print name and abode of printer, 231, 457, 705

for wrongfully using registration mark, 450, 652

for infringing copyright in designs, 441, 450, 649, 650

on persons publishing lectures, 628

on printers and publishers of newspapers publishing protected lecture, 629

separate for each offence, 224, note (a)

for importation of copies of protected work, 217, 221

in Scotland, 218, 223

may be recovered under 3 & 4 Will. 4, c. 15, though assignment not by deed, 316

under 25 & 26 Vict. c. 68, importing pirated copies, 406

must be waived in equity, 261

incurred when representation of dramatic piece without author's consent, in writing, 302

cannot be escaped by executing composition deed, 404, 405

see FORFEITURE ; LIMITATION OF TIME.

PERFORMANCE OF AGREEMENTS : *see* AGREEMENTS BETWEEN AUTHORS AND PUBLISHERS ; SPECIFIC PERFORMANCE.

PERFORMANCE, RIGHT OF : *see* DRAMATIC COMPOSITION ; REPRESENTATIONS.

PERIODICAL PUBLICATIONS : *see also* MAGAZINES ; NEWSPAPERS ; REVIEWS.

copyright in, 68, 638

articles in, 593, 639

runs from publication of each part, 82

proprietors of, entitled to copyright in articles in, 594, note (a)

registration of, 81, 144, 145, 639

” the title of, 81

” where intended only, 66, 143

letters written to, 51

editors of, may destroy letters, 52

” may not insert if requested not, previous to publication, 51

PERIODICAL PUBLICATIONS—*continued.*

- titles of, 67
 - properly registered, 67, 81
 - change of, 75
 - in France, 75, note (c)
- each part of, a book, 82, 145

PERPETUITY

- in copyright, 107
 - of Universities, 35, 618
- the Emperor Napoleon's opinion of a, 107, 108

PERSONAL

- copyright, property, 156, 641
- an agreement for division of profits a contract, 595, 586

'PERSONS AGGRIEVED' who, 141, and note (c), 396, 639

PERU,

- no copyright law in, 568

'PESTAL,' 227, 345

PETER PINDAR'S LECTURES, 88

PETITIONS,

- to parliament to protect copyright, 25

PHOTOGRAPHS,

- copyright in, 389, 695
 - term of, 389, 696
 - by whom may be claimed, 390, 696
- registration of, 391, 393, 697
 - on, what description to be given, 394, 395
- benefit of 25 & 26 Vict. c. 68, cannot be claimed until after registration, 395
 - action only in respect of offence committed after registration, 395
 - provisions of 5 & 6 Vict. c. 45, as to registration applied to, 395
 - who is an aggrieved person, 396
 - expunging entry in register, 397
 - assignment of copyright in, 391, 697
 - infringement of copyright in, 397
 - penalties for, 397, 398, 404, 697
 - cumulative, 400
 - cannot be escaped by executing a composition with creditors, 405, 406
 - a criminal offence, 404, 405
 - effected by chromo-lithograph taken from, 393
 - penalties inflicted for fraudulently signing photograph, 402, 698
 - " " selling, publishing, or exhibiting, 403, 698
 - " " selling a copy or colourable imitation, 403, 698
 - penalties inflicted for knowingly selling altered work of author without consent, 403, 698
 - engravings may be infringed by, 370, 371, 398
 - so also may paintings, 398
 - of engravings may be regarded as original productions, 400

PHOTOGRAPHS—continued.

taken from a painting original, 400
 lent for particular purpose cannot be copied, 375
 to illustrate 'Good Words,' 391
 as to the license required to copy, 398, note (a)
 not designs, 435
 provisions as to forfeiture in the bill now before Parliament, 401
 International Copyright Act extended to, 406
 suggestion of Copyright Commissioners as to, 407
 negative of, to whom belong, 408

PHRASE.

three or four bars may form a, 210, 211
see also MUSICAL COMPOSITION.

'PIANISTA AND ITALIAN OPERA PROMENADE CONCERT MAGAZINE,' &c., 762

PIANOFORTE

score of an opera, copyright in, 342
 distinction between this, and original score, 343, 344
 registration of an arrangement of a opera, 476
 arrangement of 'Vert-Vert,' 476
see also MUSICAL COMPOSITION.

PICTURE,

exhibition of, not a publication, 18
 engravings from, 368
 photograph from, 400
see also ENGRAVINGS; PAINTINGS AND DRAWINGS; PHOTOGRAPHS.

PIECE: *see* PATTERN; REGISTRATION; SAMPLE.

'PILGRIM'S PROGRESS,' 23

PIRACY: *see* INFRINGEMENT OF COPYRIGHT.

PLÁCE,

first publication must be in United Kingdom, 112, 113, 323, 324, 331, 472, 505
 except under international treaties, 331
 native author may be abroad, 114, 115
 foreign author must be within British dominions, 122, 123
 first performance of MS. play must be in United Kingdom, 113, 491
 of dramatic entertainment, 303, 304, and note (b)

PLAGIARISM

not necessarily an invasion of copyright, 173
 not every imitation a proof of, 197, 201

PLAINTIFF,

evidence for, in engravings suits, 378
 " " necessary to obtain an injunction: *see* INJUNCTION.
 offering to compromise, effect of, 231

PLAN: *see also* ARRANGEMENT; MAP.
 not subject of copyright, 42, 215

PLATES: *see* STEREOTYPE PLATES.

'PLAY,' 296

PLAY : *see* DRAMATIC COMPOSITIONS.

PLEA,
where allowed usually end of injunction, 260

PLEAD,
what defendant may, 228
notice of objections to plaintiff's title, 226, 227
form of, 227, note (b)

POEMS,
Byron's 'Cain,' 89
 'Childe Harold,' 126
 'Don Juan,' 90
Gray's, 39
Milton's 'Paradise Lost,' 28
Selections of, 43
Southey's 'Wat Tyler,' 86
said to be Byron's, 95, 96

POPE AND SWIFT'S MISCELLANIES PIRATED, 27

'POPULAR FAVOURITES FOR THE PIANOFORTE,' 293, note (a)

PORTIONS : *see* PART ; PATTERN ; REGISTRATION ; SAMPLE.

POSSESSION : *see* OCCUPANCY ; PROPERTY.
ideas not capable of visible, 5

POST OFFICE DIRECTORIES, 74

PRACTICE OF GRANTING INJUNCTIONS : *see* INJUNCTIONS.

'PRACTICE OF PHOTOGRAPHY' (The), 760

PRAYER BOOK,
copyright in the Crown, 274, 276
on what ground, 276
view taken in Ireland, 277
view taken in England, 278

PRECEDENTS IN CONVEYANCING : *see also* FORMS.
stolen, 9
copyright in, 64

PREROGATIVE COPIES : *see* CROWN COPYRIGHT.

PRESS,
restraints on ; removed, 21

PRESUMPTION,
no, of assignment of copyright, 159

PRINCE EDWARD'S ISLAND,
adopts the provisions of the 10 & 11 Vict. c. 95..499

'PRINCE IMPERIAL GALOP,' 293, note (a)

PRIVATE—continued.

distribution among pupils of a system of bookkeeping, 111
 theatricals, 325, 326

PRIVY COUNCIL,

may license the publication of any book, 109, 633
 appeal from Registrar of Designs to, 449, 661

PROCEDURE,

mode of, in seeking an injunction, 261
see also REMEDIES FOR INFRINGEMENT OF COPYRIGHT.

PROCEEDINGS: see also REMEDIES FOR INFRINGEMENT OF COPYRIGHT.

in cases of infringement of copyright generally, 445
 in County Court, 444
 for not printing name and abode of printer, 705, 706
 for fraudulently selling a work of art, &c., 403, 698
 signing a work of art, 402, 698
see also ACTION FOR DAMAGES; INJUNCTIONS.

PROCLAMATION OF THE STAR CHAMBER IN 1623.. 20**PRODUCTION**

the essential principle of one source of property, 3
see also PROPERTY.

PROFANE PUBLICATIONS: see BLASPHEMOUS PUBLICATIONS.**PROFITS**

arising from recital of works, 2
 due to author, 576
 agreements for division of, 595
 not assignable, 596
 create a joint adventure, 599
 terminable by notice, 599-603
 property in work considered as rights to, 84
 account of, incident to plaintiff's relief in equity, 268
 where not allowed, 270
 to what limited, 270
 as to past as well as future sales, 270
 in equity only nett, 261, 270
 what in America included in such, 270
 if small, usually waived, 271
 points as to costs in connection with, 271-273
 between authors and publishers, 612
 when ordered to be kept by defendant, 254

PROHIBITIONS: see CUSTOMS CONSOLIDATION ACT, 717**PROPERTY,**

how originally adjusted, 3
 copyright a distinguishable, 3, 5
 personal, 156, 158
 in literary compositions, 3, 158, 159
 does not pass by publication, 19
 definition of, 3, 5, 16
 rights of, must be instituted before violation, 3
 alone protected by Courts of Equity, 47
 in the order of words a mental abstraction, 5, 6

PROPERTY—continued.

- in a stream of water, 6
- in private and commercial letters, 43
- in the paper on which letters written, 43
- in lectures, 17
- in the Bible, 274, 276
- production the principle of one source of, 3
- value of, in musical composition, 17, 293, note (a)
- considered as the right to profits of work, 84
- no, in works of libellous, immoral, or obscene nature, 84

PROPRIETARY RIGHTS

- ideas not the subject of, 5

PROPRIETORS: see also AUTHORS; PUBLISHERS.

- of copyright, who, 158
- copyright of articles in, of periodicals, 593, 639
- of periodicals, right to publish articles, 51, 52, 75, 78
- how can, of periodicals interfere with editor, 594
- name and abode of, to appear in register, 82, 639
- may sue for recovery of copies pirated, 225, 640
 - otherwise at Common Law, 225
 - value of pirated copies sold, 225
 - in Equity entitled to nett profits only, 261
- of designs, may have pirated copies delivered up, 226
- meaning of word, 648

PROTECTION

- obtained by the Universities, 35, 618
- „ registration of sample: see **DESIGNS; REGISTRATION.**

PROTECTOR-LABEL

- not a proper subject of registration, 439

PROVERBS,

- copyright in collections of, 43

PROVISIONAL REGISTRATION, 427, 450, 680, 737: see also SCULPTURE.

- on what terms may be obtained, 737
- no mark necessary, 427, 737
- what necessary to furnish registrar, 448, note (a)
- same protection afforded a, as to designs completely registered, 450
- of articles exhibited, 450, 451, 681
- fees on, 451, 737
- transfer of designs provisionally registered, 738
 - fees on, 737
- cancellation of, 737
- provisions as to searches, 738
 - „ inspection of register, 739
 - fees on, 739

PRUSSIA,

- international convention with England, 505, 729, 730; Appendix (K.)

PUBLIC

- offices, letters addressed to, 53
- documents, copyright in, 126
 - „ publication of, may be prevented by Government, 53, 54
- libraries: see **BRITISH MUSEUM; UNIVERSITIES.**

PUBLIC—*continued.*

performance : see DRAMATIC COMPOSITIONS ; REPRESENTATION.
 reading : see LECTURES.

'PUBLIC CORRESPONDENT' (The), 70

PUBLIC DELIVERY OF LECTURE : see LECTURES.

PUBLICATION

what is a, 17, 110, 112

what not, 18, 111

in what way works originally published, 2

Common Law right to first, 10

statutes do not affect right of author before, 10

author may prevent, 8, note (a), 11, 85

effect of, 19

„ unlimited right of, 134

what passes by, 19

of private letters, 43, 47, 52

of letters not permitted for the purpose of representing that to be true
 which has been admitted to be false, 50

of letters sent to newspapers, 51

„ „ government offices, 53

of articles in reviews, &c., 76

of the Bible : see BIBLE

of separate books of the Bible, 277

of translations of the Bible, 277

of statutes, 274, 280 : see CROWN COPYRIGHT.

of reports in courts of justice, 283, 285

„ during trials, 284

of ex parte statements upon coroners' inquest, 285

of head-notes : see HEAD-NOTES

of newspapers when copyright attached, 66

of a series of parts, 80

copyright runs from, of each part, 82

of books by order of Privy Council, 109, 633

of a design, 411, note (a), 413, note (a)

of a temporary character, 257, 258

separate may be reserved, 76, 78, 639

by recital, 2

by writing, 2.

by executors, 156, note (c)

gratuitous circulation not necessarily a, 18, 111

private distribution of lithographic copies deemed a, 110

presentation of copies not a, 111

repeating from memory not a, 110

public exhibition of sculpture a, 383

„ „ a future not a, 18, 399

must be first in this country, 112, 113, 323, 324, 331, 472, 505

first in this country by foreigner, 122, 491

simultaneous abroad and in this country, 113, 117, note (e), 125, note (a)

effect of, of portion here, 124

date of first must be stated in the registry book, 136, 139, 636

effect of insertion of wrong day of, in registry, 137

before, no copyright acquired by registration, 143

representation of dramatic piece formerly not a, 110, 295

„ „ „ now a, 110, 300

PUBLISHERS—*continued.*

- after purchase of copyright by, author cannot reproduce matter in any other book, 592
- not bound to publish a second edition, 592
- as to commission of, 612
- see also* AGREEMENTS BETWEEN AUTHORS AND PUBLISHERS.

PUFFENDORF, cited, 3

'PUNCH,' 72, 188, 189, 247

QUADRILLES

- taken from copyright opera, a piracy, 320
- where may be copyright in, taken from unprotected opera, 342, note (a)

QUANTUM

- little criterion of piracy, 61, 187
- in trifling cases injunction not issued, 241

QUEEN : *see* PRINCE ALBERT'S CASE, 11 *et seq.*

QUOTATION,

- copyright in, 43
- to what extent may be made in encyclopedias, 174
- extensive from poetical works, 188
- quantity of, but slight criterion, 187
- when amount to piracy, 216
- adaptation of, 216
- see also* REVIEWS.

'RAILWAY STATION,' PICTURE OF, BY FRITH, 402

'RAILWAY TIMES' (The), 192

'RASSELAS,' (DR. JOHNSON'S), abridged, 60, 203

READE'S 'Never too Late to Mend,' 32

- „ 'Peg Woffington,' 599
- „ 'Christie Johnstone,' 599

'REAL JOHN BULL,' (The), 764

'REASON WHY,' 179

RECEIPTS,

- copied from book on other subject, 189, note (a)
- copyright in arrangement of, 41
- no copyright in simple collection of, 41
- whether, for purchase-money will operate as an assignment, 165

RECEIVER OF LETTER,

- property in paper, 43
- not permitted to publish it, 50

RECITAL OF WORKS IN ANCIENT TIMES, 2

RE-DELIVERY OF LECTURE : *see* LECTURES.

REGISTERED,

- word to be attached to every article under Designs Act, 414, 427, 693, 733
- not necessary in statement of claim to allege this done, 263

REGISTRAR,

- appointment and duties under Designs Acts, 416, 425, 653
- what discretion, may exercise, 426, 449; 660, 683
- to register under Ornamental and Useful Designs Act, 449, 661
- to reject designs being simply labels, wrappers, &c., 449, 661
- appeal to Privy Council, 449, 661
- office of, to cease as separate paid office, 452

REGISTRATION,

Literary Copyright,

- object of, 114, 135
 - only legal of a work actually composed, 66, 144
 - certificate of, 136, 636
 - of title of intended work, 66, 143
 - of copyright, 135, 165, 635
 - effect of neglect of, 136, 302, 641
 - must be accurate to support action, 136
 - full name of person, 137, 636
 - but sufficient to enter first publication under name of firm, 138
 - of first date of publication must be given 139, 636
 - place of residence, 139, 636
 - abode of assignee, 139
 - expunging or varying entry, 140, 396, 636, 637
 - making false entry a misdemeanour, 636
 - but entry must be clearly shewn to be false, 141
 - who has a right to have entry expunged, 141, 636
 - condition of work to secure sufficiency of, 143
 - of the first number of periodical sufficient, 145
 - not necessary of the particular part in which article infringed appearing, 145
 - a condition precedent to sue under 5 & 6 Vict. c. 45 .. 145
 - but not under Works of Art Act of 1862 .. 146
 - of new editions, 147
 - of maps, 147, 360-367
 - of partial assignment, 168
 - of assignment for certain number of years, 168
 - ” of certain number of copies or editions, 168
 - ” of share in copyright, 171
 - of a newspaper, 144
 - of newspapers, 459-464
 - mortgage of share in newspaper does not require, 466
 - of periodicals, 81, 144, 639
 - of university copyright, 291, 620
 - suggestions of Copyright Commissioners as to, 154, 155
- Musical and Dramatic Copyright.*
- dramatic pieces, 302
 - in manuscript, 301, 302, 323
 - omission to register does not affect copyright, 302
 - the right of representation, 316, 323, 640
 - not necessary where expressly assigned, 317, 318
 - necessary where intended to pass by assignment of copyright, 316, 640

REGISTRATION—*continued.*

Engravings, Prints, and Lithographs,
no, necessary, 359

Sculpture and Models,
mode of, 384, 682, 738

Paintings, Drawings, and Photographs,
provisions as to, of, 393, 394, 697

photographs, descriptions sometimes necessary on, 394, 395

no action under 25 & 26 Vict. c. 68, can be maintained until, 395
except as to offences committed after, 395

of intermediate assignments not necessary if last assignment be
entered, 395

who an aggrieved person, 396

suggestions of Copyright Commissioners as to, 396, note (a)

Designs for Ornamental Purposes,
mode of, 413, 417, 652, 732

who entitled to register, 737

Commissioners of Patents to issue regulations for, 416

have issued regulations for, 417, 425, 426, 732

directions for registering and searching, 732 *et seq.*

copies, drawings, or tracings to be supplied, 732, 733

name and address of proprietor, 732

number of class sought to be registered in, 732

form of application to register, 732, 733, 736

when to be effected, 413

what sufficient for, 414, 415

leaving a shawl, 414, 415, 417

no specification necessary, 415

may be effected in several classes, 415, 733

when advisable, 416

must be at same time, 416

may be effected by sample, 417, 693

when advisable, 417

when not advisable, 418

original combination of old patterns may be registered, 433, 434

manufacturer bound to inquire as to, 436

as to what proper subject for, under Acts, 438

oblong pane of glass, 438

protector-label, 439

dog-cart phaeton, 440

table lamp, 441

certificate of, 426

„ of what evidence, 427

as to registration mark, 414, 427, 693, 733

not required on sculpture, 427, 733, 738

nor when provisionally registered, 427

penalty for wrongful use of, 427

copies of designs in books need not have, mark, 415

appointment and duties of registrar, 425

what discretion registrar may exercise, 426

power of registrar to dispense with drawings, &c.,

effect of bankruptcy of transferor after assignment and before, 432

Designs for Purposes of Utility,

mode of, 447, 448, 659, 683, 739

what necessary to furnish registrar on, 447, 660, 739

copies of drawings to be filed on, 448, note (b), 683

REGISTRATION—*continued.**Designs for Purposes of Utility—continued.*

directions for registering, 740

fees on : 743

amending or cancelling, 448, 652

of orders of Commissioners of Patents, 413

transfers under, 742

searches, 745

Under International Copyright Acts, 474

of books, 474, 475

of dramatic pieces and musical compositions, 475, 486, 487

of engravings and prints, 475

of articles of sculpture, 476

of translations, 486, 487

of books published anonymously, 477

of pianoforte arrangement of an opera, 476

mode of entry, 476

effect of, 477

as to expunging or varying entry, 477

delivery of copy to Stationers' Hall, 475

not of dramatic or musical MS., 475

suggestions of Copyright Commissioners as to, 479

Under Convention with France,

mode of, 487

delivery of copies, 488

fees on, 481

of a French newspaper, 488

of books published in parts, 487

of articles published in periodicals, 487

In Foreign Countries,

France, 515

Belgium, 525, 527, note

Holland, 529

the German Empire,

of books, 531

of artistic works, 537

of industrial designs and models, 540

Austria and Hungary, 541

Norway, 544, 547

Sweden, 551, 555

Spain,

of books, 556

of dramatic and musical works, 558

Portugal,

of books, 558

of artistic works, 559

Italy, 560

Russia,

of books, 564

of artistic works, 566

The United States of Venezuela, 567

The United States of America, 571, 721

see also PROVISIONAL REGISTRATION.

REGISTRY, BOOK OF,

provided under the 5 & 6 Vict. c. 45 .. 135

open to inspection, 136, 635, 661

REGISTRY, BOOK OF—*continued.*

- certificate of entry in, 136, 636
 - stamp on, 136, note (a)
- varying or expunging entry in, 141, 142, 636, 637
- making false entry in, 636

‘REINE DE SABA,’ (LA), 248

RELIGION,

- no copyright in works against the Christian, 87, 91

REMEDIES FOR INFRINGEMENT OF COPYRIGHT,

At Law,

- for violation of common law rights, 8, 9
- for unlicensed publication of MS., 9
- since Judicature Act, 222

Books,

- penalties and forfeitures imposed by Statute of Anne, 26
- remedies provided by 5 & 6 Vict. c. 45 .. 223, 637
- action for damages against unlawful printing, importing, selling, or letting on hire, 222, 223, 638
 - notice of objections to plaintiff's title to be given, 226, 637
 - when sufficient, 227
 - amending notice of objection, 227
 - the defendant may plead the general issue and give special matter in evidence, 228
 - venue, 230
 - plaintiff need not aver that defendant published plaintiff's book, 231
 - offer to compromise on certain terms, 231
 - security for costs, 232
- knowledge of piracy must be shewn in selling, but not in printer or importer, 218, 224, note (a), 225
- owner may sue for recovery of piratical copies, 225, 640
 - profits on copies sold, 225, 640
- penalties against unlawful importing, 224, 638
 - separate, on same day, 224, note (a)
- remedies against gratuitous circulation, 218, 223, note (a)
- within what time actions must be brought, 228, 229, 641
- omission to register will not affect, 302

Dramatic and Musical Compositions,

- under 3 & 4 Will 4, c. 15 .. 299, 300, 347, 627
- under 5 & 6 Vict. c. 45, s. 21 .. 347, 640, 641
- penalties recoverable by whom, 347
- where material part taken, actual damage need not be proved, 348
 - Lord Hatherley's opinion, 348
- suggestions of the Copyright Commissioners as to penalties, 348
- actions to be brought within twelve months, 349, 641
 - to what actions apply, 349, 641, 642
 - what offence to be described, 349

Engravings, Prints, and Lithographs,

- an assignee may maintain action, 375
- not necessary in Scotland to allege where piracy committed, 375
- penalty under Engraving Acts, 376, 614, 622
- special action on the case by 17 Geo. 3, c. 57 .. 376, 377, 621, 622
- limitation of time as to actions, 377, 615, 617

REMEDIES FOR INFRINGEMENT OF COPYRIGHT—*continued.**At Law—continued.**Engravings, Prints, and Lithographs—continued.*

summary proceedings for recovery of penalties, 377, 699

in England, 377, 699

in Ireland, 377, 699

in Scotland, 377, 699

order for inspection and injunction or account, 378, 700

evidence on behalf of plaintiff, 378

not necessary to produce plate, 378

Sculptures and Busts,

action for damages given by 54 Geo. 3, c. 56 .. 385, 625

penalty imposed on offender, 385, 625

remedy provided by the 13 & 14 Vict. c. 104 .. 385, 682

Paintings, Drawings, and Photographs,

action only maintainable as to offence after registration, 395, 695

assignee may sue though prior assignments not registered, 395

who is an aggrieved person, 396

expunging entry in registry, 397

penalties on infringement, 397, 699

penalties cumulative, 400

forfeiture of copies, 401, 700

suggestions of Copyright Commissioners as to this, 401, 402

Penalties imposed for:—

fraudulently signing painting, drawing, or photograph, 402, 698

„ selling, publishing, or exhibiting same, 403, 698

„ selling any copy or colourable imitation, 403, 698

knowingly selling work having altered it without author's consent, 403, 698

to whom penalty is payable, 404

penalties imposed as a punishment for a criminal offence, 404

„ cannot be escaped by a composition deed, 404, 405, 406

importing piratical copies, 406, 700

Designs,

manufacturer bound to inquire where design registered, 436

notice as provided by 7th section of 5 & 6 Vict. c. 100 .. 436, 437, 649

what necessary to prove, 437

ignorance of registration no excuse, 438

action for damages under sect. 9 of 5 & 6 Vict. c. 100 .. 441, 652

forfeiture under the 8th s. of 5 & 6 Vict. c. 100 .. 442, 649

in England, 442, 650

in Scotland, 443, 651

in Ireland, 443, 652

limitation of actions, 444, 653

justices may order payment of costs in cases of summary proceedings, 444, 653

same remedies for infringement of useful as ornamental designs, 444, 659

proceedings may be taken in the county court, 444, 694

considerations affecting choice of remedy, 445

no provision for delivery up of pirated articles, 445

„ but order made on one occasion, 445

proceedings may be taken in Chancery Division of High Court of Justice in all cases, 446

REMEDIES FOR INFRINGEMENT OF COPYRIGHT—*continued.**At Law—continued.**Designs—continued.*

- what statement of claim should contain, 446
- articles should be produced in court, 446
- provisions as to recovery of penalties &c. under Ornamental Designs Acts extended to useful designs, 449, 450, 659
- penalties for using falsely the word "Rd," 450, 693
- provisions of Designs Acts extended to articles provisionally registered, 450, 684, 740

In Equity,

- for violation of common law rights in unpublished works, 8, 27
- in cases when work not literary, 43, 49
- in letters, 43-50
- injunction, 233
 - definition of, 233
 - Lord Mansfield's opinion upon the issuing of an, 234
 - the modern practice, 235
 - where this remedy applied and on what evidence, 235
 - Lord Eldon's opinion, 235, 236
 - equitable title which will support, 236
 - mere agreement not such title, 233
 - prima facie* title must be shewn, 237
 - auxiliary to legal right, 237
 - in granting, court will exercise its discretion, 238
 - in what cases it will be granted, 238
 - " " refused, 239
 - not granted where action not maintainable, 239
 - not issued against work on ground that it is injurious to feelings, 240
 - where fair doubt as to whether damages could be recovered at law, 240
 - where evidence of plaintiff contradicted by defendant, 240
 - in trifling cases, 241
 - Scotch law on this subject, 240
 - as to continuation of, or its dissolution, 241
 - where portion only of the work is piratical, 242
 - to what extent it is to go, 243
 - Lord Eldon's opinion, 244
 - where there is a similarity of appearance in works, 247
 - where publication is falsely represented to be the work of another, 247
 - due diligence to be observed in applying for, 248
 - what sufficient excuse for delay, 249
 - tendency of modern decisions, 250
 - not granted generally where there has been acquiescence, 252
 - institution of proceedings after lapse of twelve months, 250
 - custom of trade no excuse for piracy, 254
 - methods usually adopted by the court in particular instances, 254
 - procedure in Equity, 255, 257, 261
 - " in cases where publication of temporary character, 257
 - as to bringing to hearing where interlocutory injunction obtained, 259
 - not necessary to apply in first instance as interlocutory application, 259
 - dissolving of interlocutory injunctions, 260
 - usual method of obtaining dissolution, 260

REMEDIES FOR INFRINGEMENT OF COPYRIGHT—*continued.**In Equity—continued.*

- where copyright infringed injunction granted without proof of damages, 260
- proprietor entitled to nett profits only, 261
- to recover pirated copies proceedings must be taken at law, 261
- invasions by several persons, 261
- proceedings may be taken against seller, instead of against publisher, 262
- one of several partners will not be restrained from publishing account of invention, 262
- if plaintiff has merely equitable title, person having legal title should be party, 263
- proceedings under the Judicature Acts, 262, 263
- not necessary to specify in statement of claim, parts of work pirated, 264
- on claim by assignee what must be shewn, 265
- nature of relief usually sought and obtained, 266
- forms of injunction, 267, Appendix (G.): see FORMS, INJUNCTIONS.

Account

- right to, incident to other relief, 268
- where no, allowed, 269
- as to past as well as future sales, 270
- limited to nett profits, 270
 - commissions in America included in such, 270, 271
 - if small usually waived, 271
- examination of witnesses before examiner, 268, 269
- nature of discovery given, 269
- points as to costs, 271
 - effect of offer by defendant on, 272
- bankruptcy of plaintiff after hearing but before judgment, 273
- rule for estimating damages, 273

In Foreign Countries,

France,

- in books, 510, 516
- in dramatic and musical works, 520, 521
- in artistic works, 522

Belgium, 525, 527, note, 528, note

Holland, 528

The German Empire,

- in books, 531
- in music, 533
- in dramatic representations, 535
- in artistic works, 537
- in photographs, 539
- in industrial designs and models, 540

Austria and Hungary, 542

Norway,

- in books, 544
- in piratical translations, 545
- in artistic works, 548
- in photographs, 549

Sweden,

- in books, 551
- in dramatic works, 553

Denmark, 555

Spain, 557

REMEDIES FOR INFRINGEMENT OF COPYRIGHT—*continued.**In Foreign Countries—continued.*

- Portugal,
 - in books, 558
 - in dramatic and musical works, 559
 - in artistic works, 559
- Italy, 560, 561
- Switzerland, 562, 563
- Turkey, 563
- Russia,
 - in books, 565
 - in dramatic and musical works, 565
- United States, 572, 573
 - in books, 722
 - in maps, charts, prints &c., 723
 - in dramatic compositions, 723
 - in manuscripts, 723

REPEAL

- of the Foreign Reprints Act not recommended, 503

REPETITIONS: *see* REPLICAS.

REPLICAS,

- whether artist having sold picture may make, of it, 390, note (b), 408

REPORT OF ROYAL COPYRIGHT COMMISSIONERS: *see* COPYRIGHT COMMISSIONERS.

REPORTS,

- passages may be selected from, 63
- to what extent cases may be taken bodily, 194
- head-notes of, 62
- publication of, in Courts of Justice, 283
- of *ex parte* statements on a coroner's inquest, 285
- violation of the copyright in, 208, 209
- official, belong to the Government, 53, 126

'REPOSITORY OF ARTS, MANUFACTURE, AND AGRICULTURE,' 82

REPRESENTATION

- of dramatic pieces, 110, 318, 325, 626, 627, 640
- what is, within the meaning of the Acts, 308
- equivalent to publication, 110, 300, 331, 640
 - even under International Copyright Acts, 332, 333, 334
 - not formerly so, 295
- at place of dramatic entertainment, 303, 304
- who those who cause, 305, 306, 307
- right of, of dramatic pieces in MS. 322
 - when commences, 322, 323
 - lost by previous publication, 323, 324, 331
- whether copyright in MS. governed by, or publication, 323
 - right of, of MS. lost by publication in print, 324
- how the Common Law right of, of MS. lost, 301
- what is a private performance, 326
- of drama taken from novel not an infringement, 336, 341, note (a)
 - otherwise if printed, 337
- assignment of right of, 316, 640
 - " " must be in writing, 318

RIGHT—continued.

- of author in his works before publication, 8, note (a), 10
 - early decisions in Scotland, 30, note (a)
- of property, 3, 6
- of assignor to sell copies of books after assignment, 170, 603
 - but not an exclusive right, 609
- ideas not the subject of proprietary, 56

ROAD BOOK,

- infringement of copyright in. 39
- in compiling, milestones must be counted, 176
- use which may be made of earlier writers, 184

ROSCIUS'S, THE PLAYER, PURCHASE FROM TERENCE, 2**ROYAL COPYRIGHT COMMISSIONERS : see COPYRIGHT COMMISSIONERS.****RULE,**

- respecting abridgments, 59, 60, 202, 298
- by which a piracy judged, 181, 184, note (a), 185

RUSSELL'S SONG, 'THE SHIP ON FIRE,' 304**RUSSIA,**

- Literary Copyright in*, 564
 - what protected, 564
 - duration, 564
 - registration, 564
 - assignment, 564
 - remedies of author against piracy, 565
 - penalties, 565
- Dramatic and Musical Works*, 565
- Artistic Copyright*, 565
 - what protected, 565
 - piracy, 565
 - assignment, 566
 - registration, 566

ST. CHRISTOPHER

- adopts the provisions of the 10 & 11 Vict. c. 95 .. 499

ST. KITTS

- adopts the provisions of the 10 & 11 Vict. c. 95 .. 499

ST. LUCIA

- adopts the provisions of the 10 & 11 Vict. c. 95 .. 499

ST. VINCENT

- adopts the provisions of the 10 & 11 Vict. c. 95 .. 499

SALES : see also ASSIGNMENTS.

- of copyright by the Universities, 291, 620
 - warranty on, 593
- may be made by letter, 165
- of books by assignee after assignment of copyright, 170, 171, 606, 608

SALES—continued.

forms of, under Literary Copyright Act, 749, 750, 752
 " " the 25 & 26 Vict. c. 68.. 755, 758, 759
 restraining sales: *see* INJUNCTIONS.

SAMPLE,

permissible to register by, 417
 when advisable to register by, 417
 when not advisable to register by, 418
 what protected when registration by, 418-425

SARDINIA,

convention between, and Austria, 506
 " " this country, 506, Appendix (K.)

SAXONY,

joins the international convention, 506, Appendix (K.)

SCANDALOUS WORK,

no copyright in, 92

SCENES,

piracy by taking of certain, of play, 313, 314, 315, 327-330

SCENIC ENTERTAINMENT,

included in definition of dramatic piece, 5 & 6 Vict. c. 45.. 632

SCHOOL BOOKS,

copyright in, 46, note (b), 65, 179, 180

SCIENCE (GUIDE TO): *see* BREWER (DR.)**SCORE,**

copyright in a pianoforte, 342
 distinction between pianoforte, and original, 343, 344

SCORING TABLET,

copyright in, 100, 139

SCOTLAND,

early decisions as to author's common law rights in, 30, note (a)
 principles upon which Court of Session in, have acted in issuing injunctions, 49, 240
 remedy in, under the Copyright (Works of Art) Act, 377, 699
 " under Designs Act, 443, 651

SCOTT (SIR WALTER),

works infringed, 103, 104, 215, 216

SCRIPTURES: *see also* BIBLE.

work denying truth of, not protected, 88

SCULPTURE AND BUSTS

construction of Acts relating to, 381
 copyright in, 379
 extent of, 381, 624
 term of, 382, 624, 625
 term of, suggestion of Copyright Commissioners as to, 383, note (b)
 when date from, 382

SCULPTURE AND BUSTS—*continued.*

- copyright in, what necessary to obtain, 383
 - assignment of, 384
 - registration of, 384, 682
 - infringement of, 385
 - penalties for, 385
- formerly no offence to *sell* a pirated cast of, with additions, 381
 - ” ” *make* a pirated cast of a *fac simile* of original, 381
 - otherwise by 54 Geo. 3, c. 56 .. 381, 332, 624
- what is publication of a piece of, 383
- registration mark on, 385, 682, 683, 733, 738
- public exhibition of a piece of, 383
- not protected against drawings or engravings, 386
- protected under the International Copyright Act, 473, 672
 - registration under, 475, 673
- suggestions of Copyright Commissioners on copyright as to, 386
 - as to remedies for infringement, 402

SEARCH: *see* REGISTER BOOK.

‘SEASONS,’ (THOMSON’S) pirated, 29

SECURITY FOR COSTS: *see* COSTS.

SEDITIONOUS WORK,
no copyright in, 86

SELECTIONS: *see* COLLECTIONS.

SELLER: *see* ASSIGNOR.

SELLING PRICE OF BOOK,
may be fixed by publisher when not specified in agreement, 592

SEPARATE

- publication of articles in reviews, 76, 78
 - ” ” books of the Bible, 277
- articles advertised to form part of periodical publication, not a book, 110
- penalties for each offence, 224, note (a)

SERIES: *see* PERIODICAL PUBLICATIONS.

- publication of a, of parts, 80
- of parts, copyright runs from publication of each, 82

‘SERIOUS FAMILY POLKA,’ (The), 75

SERMONS,
copyright in, 57

SESSION, COURT OF (SCOTLAND),
principles under which an interdict is issued, 49, 240
remedy in, under the Copyright (Works of Art) Act, 377, 699
” ” Designs Act, 443, 651

SHAPE,
protection under Designs Act only afforded to, 438, 735, 739

‘SHAUGHRAUN,’ (The) 333

SHAWLS,
copyright in designs as applied to, 412, 646, 732, 735

SHAWLS—*continued.*

registration of, 414, 415, 434
 provisional registration of, 681, 737
 form of injunction as to mantilla, 765

SHEET OF LETTER-PRESS,

meaning of expression, 110, 632, 677
 engravings published with, 360

SHERIDAN'S OPERA OF THE 'DUENNA,' 296, note (a)

'SHIP ON FIRE,' Russell's Song, 304

'SHOP,' 340

SHORTHAND,

play may not be taken down in, and published, 9
 lecture may not be taken down in, and printed, 18, 55, 57

SIDE-NOTES OF REPORTS,

copyright in, 62
 definition of, 62, 208
 may be considered as digest, 63, 208

SILKS,

copyright in designs as applied to, 412, 647, 735

SIMILARITY

of errors test of piracy, 183, 184, note (a)
 of appearance of two works, 246
 between two engravings, 368, 369

SIMULTANEOUS PUBLICATION

abroad and in this country, 113, 117, note (c), 125, note (a)

SION COLLEGE,

copies of books for, 153

SKETCHES (Artist's), 407, 408

'SLAP BANG! HERE WE ARE AGAIN!' 293, note (a)

SMILES'S 'THRIFT,' 502

SMITH'S 'LEADING CASES,' 194, 195, 253

SMITHSONIAN INSTITUTION (America)

copy of every book for, formerly required, 153, note (a)
 " " not now necessary, 721, 725

SOLICITOR,

copyright in letter written by, of a company, 43, note (b)

SOLID SUBSTANCES,

copyright in designs as applied to, 412, 646, 683, 735

SONATA,

copyright in a, 293

'SONNAMBULA' (La), 166

SONGS

- number of some popular, sold, 293, note (a)
- prices given for copyright of some, 293, note (a)
- words of taken, 308
 - „ “written and composed” on, 95
- copyright, may not be publicly sung, 57, note (b), 300, note (b), 308, 310
- copyright in, not lost by custom of place where sung, 322
 - term of, 300
- when dramatic, 309, 310
- arrangement of new words of, and accompaniment to old airs, 342, note (a), 346
- stated to be composed by Gounod, 247, 248
- assignment of copyright in, must be in writing, 165, 318
- form of injunction restraining use of name and title page of, 761

SOUTHEY'S 'WAT TYLER,' 86

SPAIN,

- copyright treaty of 1857 with, 506, 804
 - expiration of, 506, note (a)
- Literary Copyright* in, 556
 - what protected, 556
 - persons protected, 556
 - duration, 556
 - registration, 556
 - reciprocity, 557
- Musical and Dramatic Works*, 557
 - duration, 558
 - registration, 558
- Works of Art*, 558

SPECIFIC PERFORMANCE,

- no, of contract to write book, 581
- for sale of copyright, 581, note (b)

SPECIFICATIONS,

- no copyright in, 96

SPECTACULAR PIECE: see DRAMATIC COMPOSITION.

- copyright in, 310, 311

SPEECHES: see LECTURES.

- copyright in, 57

'SPINNING BY HER COTTAGE DOOR,' 95

'SPORTING LIFE,' (The), 466

'SPRING CAROL,' 95

STAMP,

- not necessary on assignment of copyright by entry, 136, 164
- on certificate of entry in registry, 136, note (a)
- necessary on agreements under the 25 & 26 Vict. c. 68.. 390, note (a)

STAR CHAMBER,

- decrees of the, 19, 20, 275
- abolition of the, 21

- STATE DOCUMENTS: *see* CROWN COPYRIGHT; GOVERNMENT.
copyright in, 280
- STATEMENT OF CLAIM,
under Judicature Act, 262
under Designs Acts, what necessary to allege, 446
" " what not necessary, 263
in, not necessary to specify parts of work pirated, 264, and note (b)
by assignee of copyright, 265
usually prays for account, 266
practice in America, 266, note (b)
- STATEMENTS MADE *ex parte* ON CORONER'S INQUEST, 285
- STATIONERS' COMPANY,
original charter of the, 19
effect of the Licensing Act upon the, 22, 23
traffic of members in, 24
ordinances and by-laws of the, 24
book of registry to be kept at, 26, 135
registration at, 136, 168, 171 : *see* REGISTRATION.
delivery of books to, for public libraries, 26
practice of, as to partial assignments, 168, 171
forms of entry used by the, 745, 746
monopoly of printing almanacs, 287, 288
none now existing, 288
- STATISTICS,
copyright in, 40
" being infringed, 176
- STATIUS, sale of 'Agave,' to Paris, 2
- STATUARY: *see* SCULPTURE AND BUSTS.
- STATUTE OF ANNE,
object of registration under the, 135
assignment under the, 161
operation of the, enlarged, 120
- STATUTE OF FRAUDS,
in relation to contracts between authors and publishers, 578, 579
- STATUTES,
do not affect copyright (generally) before publication, 10
notes to, 286
Crown, right to publication of, 126, 274, 280
forms framed under, 64
relating to copyright in British dominions, Appendix (A.)
" " United States, Appendix (B.)
- STATUTORY REQUISITES FOR SECURING COPYRIGHT: *see* REGISTRATION.
- STEREOTYPE PLATES,
purchaser of, is not authorized to print, 157, note (a)
- STOLEN MANUSCRIPTS, 9
- STORY (MR. JUSTICE),
opinion as to copyright in private letters, 48

STORY (MR. JUSTICE)—*continued.*

- opinion as to, letters to public officers, 53
- „ Blackstone's Commentaries, 64
- Commentaries on Equity Jurisprudence infringed, 205

STOWE'S 'UNCLE TOM'S CABIN,' 213

STUARTS, encouraged fine arts, 352

STUDIES (ARTIST'S), 407, 408

STYLE,

- agreements as to, of publication, 591, 592
- copy of general, of work, 75

STYLES: *see also* FORMS; PRECEDENTS.
copyright in, 64

SUBJECT

- of copyright: *see* COPYRIGHT.
- of book need not be new, 37, 38, 39
- of new edition, of copyright, 101
- original combination a proper, for registration, 432, 433
- what a proper, under the Designs Act, 438: *see* DESIGNS.
- a new ventilator not a proper, for registration, 438
- a "protector label," not a proper, for registration, 439
- author may bind himself not to write on particular, 583
- copyright the, of bequest, 156
- or phrase, three or four bars of music may form, 210, 211

SUBSCRIPTIONS

- to works coming out in parts, 579

SUBSTANCE,

- copyright is in the, and not in the form, 212
- „ in designs as applied to solid, 412, 646, 683, 735

SUE'S 'WANDERING JEW,' 313

SUGDEN ON 'VENDORS AND PURCHASERS,' 175

SUGGESTIONS OF COPYRIGHT COMMISSIONERS: *see* COPYRIGHT COMMISSIONERS.SUIT: *see* ACTION; REMEDIES FOR INFRINGEMENT OF COPYRIGHT.SUMMARY PROCEEDINGS: *see also* REMEDIES FOR INFRINGEMENT OF COPYRIGHT.

- for recovery of penalties under Engravings Acts, and 25 & 26 Vict. c. 68..
377, 699
- in England and Ireland, 377, 699
 - before two justices, 377
 - or stipendiary, 377, note (b)
 - under Designs Act, 649, 650, 651
- in, justices may order payment of costs under Designs Acts, 444, 653

SWEDEN,

- Literary Copyright*, 549
- what protected, 550
- persons protected, 550
- translations, 550
- publishers of periodicals, 550

SWEDEN—*continued.**Literary Copyright—continued.*

- duration, 550
- works of learned societies, 550
- registration, 551
- alienation, 551
- piracy and infringement, 551
- piratical translations, 551
- what is not piracy, 551
- penalties, 551
- nationality and reciprocity, 552
- Musical and Dramatic Works*, 552
- right of representation, 552
- penalties, 553
- general provisions, 553
- additional law of 10th August, 553
- Artistic Copyright*, 553

‘SWEETLY PRETTY VALSE,’ 293, note (a).

SWIFT AND POPE’S MISCELLANIES PIRATED, 27

SWITZERLAND

- copyright in, 562
- works protected in, 562
- duration of copyright in, 562
- piracy of copyright in, 562
- penalties for infringement, 562, 563
- reciprocity, 563,

TABLES,

- copyright in mathematical, 43, 182
- „ statistical, 40

TALFOURD (SERJEANT),

- on copyright term, 36
- on the reward due to an author, 36, 576

TELEGRAMS,

- copyright in newspaper, 100

‘TEMPLE BAR,’

- publication of, magazine restrained as being in breach of contract, 761

TEMPORARY

- injunction where publication is, in character, 257, 258

TENDER,

- effect of, by defendant to plaintiff, 272

TENNYSON’S WORKS PRINTED IN AMERICA AND IMPORTED, 218

TERENCE

- sale of his ‘Eunuchus,’ 2
- „ ‘Hecyra,’ 2
- accused of stealing his fable, 2

TERM OF COPYRIGHT,

- under 8 Anne, c. 19.. 26, 613
 - 8 Geo. 2, c. 13, and 7 Geo. 3, c. 38.. 614, 617
 - 54 Geo. 3, c. 156.. 35, 624
 - 3 Will. 4, c. 15.. 626, 627
 - 5 & 6 Will. 4, c. 65.. 629
 - 5 & 6 Vict. c. 45.. 106, 108, 632
 - 5 & 6 Vict. c. 100.. 646, 647, 735
 - 25 & 26 Vict. c. 68.. 686
- in works published before the Act of 1842.. 108
- in periodical works, 76, 638, 639
- in dramatic compositions, 299, 300, 629, 632
- in engravings, 353-355, 614, 617
- in sculpture, 35, 382, 624
- in ornamental designs, 412, 646, 647, 735
- in France, 513, 514, 522
- in Belgium, 525, 526
- in Austria and Hungary, 541, 542
- in Holland, 527, 528
- in Norway, 543, 546, 547, 549
- in Sweden, 550, 552
- in Denmark, 554, 555
- in Spain, 556, 558
- in Portugal, 558, 559
- in Italy, 559, 561
- in Switzerland, 562
- in Turkey, 563
- in Russia, 564
- in Germany, 530, 535, 536, 538, 540
- in Greece, 566
- in Brazil, 567
- in Republic of Chili, 567
- in Japan, 567
- in Mexico, 567
- in the United States of Venezuela, 567
- in the United States of America, 568, 569, 720, 727
- considerations respecting increase of, 106, 107
- suggestions of Copyright Commissioners as to, 109

'TERM REPORTS,' 209

TEST OF PIRACY, 174, 175, 183, 184, note (a), 195

TEXT,

how far alteration of the, constitutes new edition, 102

'THACKERAYANA, NOTES AND ANECDOTES,' 190

THEATRES,

- contracts between managers of, and actors, 583, note (a)
 - „ to write only for particular, 583
- Act regulating, 661
- all, for the performance of plays must be licensed, 662
- what licences shall be granted by the Lord Chamberlain, 662
 - fee for same, 669
- licences may be granted by justices, 663
 - fee for same, 663

TITLE—*continued.*

to 'Bell's Life in London,' 69, 761
 'London Journal,' 69, 762
 'The Correspondent,' 70
 'Trial and Triumph,' 70
 'Punch and Judy,' 72
 'The Era,' 72
 'The Wonderful Magazine,' 73
 'Minnie,' 73
 'John Bull,' 73
 'The Serious Family Polka,' 75, note (b)
 Post Office Directories, 74
 'Our Young Folks,' 75, note (b)
 where the exact, taken, 70
 " not taken, 71
 where part of the, taken without fraud, 73
 assuming a, which has been disused, 75
 in France, 75, note (c)
 change of, and resumption of, by another, 75
 of almanac, 68, note (b)
 necessary to support an injunction, 235
 equitable, 236
primâ facie, 237
 injunction auxiliary to legal, 237, 238
 forms of injunctions restraining use of titles, 761, 762

'TOPOGRAPHICAL DICTIONARY OF ENGLAND,' 760

TOWNSHIPS,

boundaries of, shewn on maps, 65, note (a)

TRADE,

custom of, cannot override the law, 82, 83, 194, 196, 248
 no excuse for piracy, 253, 254
 board of, empowered to extend time of protection as to designs, 413
 now, as to designs, superseded by Commissioners of Patents, 452
 advertisements of, no copyright in, 97

TRADESMEN'S CATALOGUES: *see* CATALOGUES.

TRAGEDY: *see* DRAMATIC COMPOSITIONS.

Lord Byron's, of 'Marino Faliero,' infringed, 33

TRANSFER: *see* ASSIGNMENT OF COPYRIGHT.

TRANSLATION,

what is a, 485
 copyright in a, 82, 211, 686, 687
 an original work, 83
 infringement of copyright by, 211
 distinction between an imitation and a, 485, 486
 of the Bible, 274, 276
 " separate books of the Bible, 277
 may be numerous of unprotected original, 211, 311
 principle on which, of protected work, piratical, 212
 different rule as to translations in America and here, 213, 214
 of 'Uncle Tom's Cabin,' 213

TRANSLATION—continued.

- of foreign work infringing a protected work, 213
- opinion of some that piracy not committed by translation of protected work, 213
- of foreign drama, 311, 687, 689, 707
- under the International Copyright Acts, 84, 214, 479, 481, 673, 677, 686, 687, 689, 707
- of articles of political discussion for newspapers, &c., 480, 687
- requisites to obtain copyright in, under International Copyright Act, 486, 487, 673, 674, 688
- registration of, under International Copyright Act, 487, 688
 - fees for, 488
- the 9th sect. of 15 Vict. c. 12, extended to unauthorized, 493, 689
- suggestions of Copyright Commissioners as to, 491

TREATISES,

- upon particular subjects, 63
- use which may be made in, of reports, 63
 - ” ” judgments, 63

TRIAL,

- at, evidence of which notice not given not to be adduced, 226
- report of, of Lord Melville pirated, 284
- publication of proceedings during, 283, 284

‘TRIAL AND TRIUMPH,’ 70**TRICKS: see MAGICAL APPARATUS.****TRINITY COLLEGE (DUBLIN),**

- copy of every book for, 151, 634
- copyrights belonging to, 291

‘TROUBLED LIFE’ (A), 194**‘TRUE BRITANNIA,’ 73****‘TRUE TO THE CORE,’ 71****TRUST,**

- breach of, ground for injunction, 49

TUNE,

- copyright, cannot be played in public without the composer’s consent, 300, note (b)

TURKEY,

- copyright in, 563
 - term of, 563
- translations in, 563
- piracy in, 563

TYRAWLEY’S (Lady) LETTERS, 45**‘UNCLE TOM’S CABIN,’ 213****UNDERTAKING AS TO DAMAGES BY PLAINTIFF, 254****‘UNDER THE GASLIGHTS,’ 327**

'UNDER THE WILLOWS,' 95

UNITARIAN VIEWS,
copyright in work expressing, 91

UNITED KINGDOM,
definition of, 116, note (a)
publication must be in, by alien to obtain copyright, 113, 122, 123
publication of part of work in, 124, 125, 126

UNITED STATES,
copyright in, 568
what the subject of, 568, 719, 720
who entitled to, 568, 720
must be a citizen to acquire, 568, 569, 720
temporary residence not sufficient, 569
term of, 568, 720, 727
continuance of term, 720, 727
mode of acquiring, 570, 571
time of publication, 727
deposit of title and published copies, 570, 720
book of entry and attested copy, 571, 721
fees, 721, 726
copyright to be under charge of Librarian of Congress, 719
copies of works to be furnished to the Librarian of Congress, 571, 720, 721
penalty for omission, 571, 722, 726
postmaster to give receipt, 522
publication of notice of entry for copyright prescribed, 572, 722, 726
penalty for false publication of notice of entry, 572, 722
assignment of, 571, 720, 725, 727
" and recording, 720, 725
translations, 727
serials or separate publications to be copyrighted separately, 727
infringement of, 572
damages and forfeiture for violation of copyright in books, 572, 573, 722
" " maps, charts, prints, &c., 723
" " dramatic compositions, 723
dramatic compositions, 573
works of art, 727
how to secure exclusive right of performance, 573
damages for printing or publishing manuscripts, 574, 723
limitation of actions in copyright cases, 724
defence to action in copyright cases, 724
injunctions in copyright cases, 724
restrictions on application of words " engraving," " cut," and " print," 725
international copyright with, 494
right of English authors in, 494
reason why no convention between this country and, 495
bill introduced in Congress, 1871.. 496, note (a)
" " " 1872.. 496
title not protected apart from work, 568, note (b)
no labels protected, 728
full name of proprietor required, 728

UNIVERSITIES.

obtained an Act for protection of their copyrights, 35, 618

UNIVERSITIES—*continued.*

- may hold copyright in perpetuity, 290, 618
- suggestions of the Copyright Commissioners as to copyrights of the, 292
- delivery of copies of books to, 151, 634
 - origin of claim, 152
 - penalty for default, 152, 635
- distinction between delivery of copies to the British Museum, and to the, 151, 634
- suggestions of Copyright Commissioners as to delivery of books to, 154, 155
- right of, to print Bibles and Prayer Books, 279
- „ „ Acts of Parliament, 282
- books printed at, 291, 705
- registration and sale of copyrights by, 291, 620
- clerk to give certificate of entry, 620
- rights of, saved by 5 & 6 Vict. c. 45 .. 642

UNLAWFUL PUBLICATION: *see* BLASPHEMOUS PUBLICATIONS; IMMORAL WORKS; SEDITIOUS WORKS.

UNPUBLISHED WORKS: *see* LETTERS; MANUSCRIPTS.

URUGUAY (The Republic of)
no copyright law in, 568

USE permitted of antecedent literature, 38, 41, 172, 174, 178, 183
„ „ prior musical composition, 209

UTILITY,
copyright in designs of: *see* DESIGNS.

VALUE OF EXTRACTS, an ingredient in piracy, 186
injunction refused where, slight, 241

VARIATIONS,
adding, to a musical composition, 211

VARYING,
entry in registry, 141, 142, 477, 636: *see* ENTRY; REGISTRATION.

VENDOR: *see* ASSIGNOR.

VENDORS AND PURCHASERS (The Law of), pirated, 175

VENEZUELA (The United States of)
copyright in, 567
duration of, 567
deposit and registration necessary, 567

VENTILATOR
not a subject of registration under Designs Act, 438

VENUE, 230

VERBAL ASSIGNMENT: *see* PAROL ASSIGNMENT.

VERBATIM PIRACY, 186

‘VERGERS’ DAUGHTER,’ (The) 145

'VERT-VERT,' opera by Offenbach, 476

'VERY SUSPICIOUS,' 293, note (a)

VESTED

copyright in whom, 114-124

VINDICATION OF CHARACTER,

private letters may be published for, 50

VINER'S ABRIDGMENT, 63, note (a), 206

VIOLATION

of agreement: *see* SPECIFIC PERFORMANCE.

of copyright: *see* INFRINGEMENT OF COPYRIGHT; REMEDIES FOR INFRINGEMENT OF COPYRIGHT.

VIRGIL,

examples of imitation from, 197

VOLUME,

each, a book, 82, 110

copyright runs from publication of each, 82

interpretation of, by 5 & 6 Vict. c. 45 .. 632

„ „ 7 Vict. c. 12 .. 677

see also BOOK; EDITION.

WALTZES

taken from copyright opera, a piracy, 330

taken from unprotected opera, 342, note (a)

'WANDERING JEW' (The), 313

WARP,

copyright in designs as applied to, 412, 646, 735

WARRANTY,

on sale of copyright, 593

'WAT TYLER,' 86

WEBB, 'PRECEDENTS OF CONVEYANCING,' 9

'WELCOME GUEST' (The), 79, 463

WELLINGTON'S, (Duke of), DESPATCHES, 54

WESTMINSTER,

copyright of, perpetual, 290

'WHAT AN AFTERNOON!' 232, note (b)

'WHITE CAT' (The), 230

'WHOLE DUTY OF MAN' (The), 27

WINCHESTER

copyright of, perpetual, 290

WITNESSES

to an assignment, 161-165

„ evidence of, taken before examiners, 268, 269

'WONDERFUL MAGAZINE,' (The), 73

WOOD,

copyright in designs as applied to, 412, 646, 735

WOOD (VICE-CHANCELLOR),

opinion as to abridgments, 61

WOOL,

copyright in designs as applied to, 412, 646, 732, 735

WORD,

whether there can be copyright in a single, 67

WORDS,

external signs of ideas, 2

permanent endurance of, 6 note (b)

copyright not in the form of, but in the intellectual conception expressed thereby, 37

"written and composed," in songs, 95

WORKS OF ART: see PAINTINGS AND DRAWINGS; PHOTOGRAPHS.

Act of 1862..389, 695

" remedies under, 397, 400, 402, 403, 699

no copyright in, until registration, 395

provisions for the repressing of fraud in the sale of, 402, 698

of the ancient Greek and Romans well preserved, 6, note (b)

WORKS OF LITERATURE AND ART REFERRED TO:

Books.

Novels and Tales,

'Aurora Floyd,' 765

'Uncle Tom's Cabin,' 213

'Christie Johnstone,' 599

'The Chronicles of Stansfield Hall,' 78

'Dangerous Connections,' 145

Dick's 'English Novels,' 71

Griffin's 'Collegians,' 299

'The Guardian Angel,' 764

'How I Lost the County,' 194

'It is Never too Late to Mend,' 32, 336

Johnson's 'Rasselas,' 60, 203

'Lady Audley's Secret,' 129, 338, 765

'Not Above his Business,' 340

'Old Mortality,' 104

'The Parlour Library,' 78

'Peg Woffington,' 599

Sue's 'Wandering Jew,' 313

'Trial and Triumph,' 70

'A Troubled Life,' 194

'True to the Core,' 71

'The Verger's Daughter,' 145

Poems,

'The Book of the Poets,' 188, 764

Byron's 'Cain,' 89

WORKS OF LITERATURE AND ART REFERRED TO—*continued*
Books—continued.

Poems—continued.

- Byron's 'Childe Harold,' 126
 Byron's 'Don Juan,' 90
 Campbell's Poems, 188
 Gray's Poems, 39
 Terence's 'Hecyra,' 2
 Terence's 'Eunuchus,' 2
 'The Lady of the Lake,' 104
 Milton's 'Paradise Lost,' 28, 243, 760
 'The Minstrelsy of the Scottish Border,' Scott, 103, 215, 216
 Southey's 'Wat Tyler,' 86
 Thomson's 'Seasons,' 29
 Tennyson's Works, 218

Newspapers and Magazines,

- 'The London Journal,' 585
 'The Edinburgh Philosophical Journal,' 584, 585
 'London Society,' 586
 'The Bath Chronicle,' 156
 'The Belgravia Annual,' 254
 'The Belgravia Magazine,' 66, 143, 194, 254
 Bell's 'Life in London,' 69, 761
 'Bow Bells,' 372
 'The Britannia,' 73, 762
 'The British Mercury,' 194, 254
 'The Court Miscellany, or Gentleman and Lady's Magazine,'
 295
 'The Daily London Journal,' 69, 585, 762
 'English Society,' 586, 587
 'Era,' 72
 'The Field,' 46
 'The Gentleman's Journal and Youth's Miscellany,' 364
 'The Gentleman's Magazine,' 203, note (b)
 'The Glasgow Herald,' 470
 'Gipps' Land Mercury,' 101
 'Good Words,' 340, 341, 463
 'The John Bull,' 73
 'The Jurist,' 77, 463
 'Judy,' 72, 247
 'The Melbourne Argus,' 101
 'The Monthly Chronicle,' 192
 'The New Era,' 172
 'The Observer,' 284
 'The Orb,' 145
 'Our Young Folks,' 75, note (b)
 'The Pall Mall Budget,' 454
 'Pall Mall Gazette,' 454
 'Punch,' 72, 188, 189, 247
 'The Railway Times,' 192
 'The Real John Bull,' 764
 'The Sporting Life,' 466
 'Temple Bar,' 761
 'The True Britannia,' 73
 'The Welcome Guest,' 79, 463
 'The Wonderful Magazine,' 73

WORKS OF LITERATURE AND ART REFERRED TO—*continued.**Books—continued.**Newspapers and Magazines—continued.*

‘Punch and Judy,’ 72

‘The Public Correspondent,’ 70

Works of General Literature,

‘Apology for the Life of George Anne Bellamy,’ 204

‘Archæologia Philosophica,’ 212

‘Beeton’s Christmas Annual,’ 761

‘A Bird’s-eye View or Plan of Paris and its Fortifications,’ 361, 765

‘Blackstone’s Commentaries,’ 64

Brewer’s ‘Guide to Science,’ 65, 178, 179

Digby’s ‘Broad Stone of Honour,’ 109, note (a)

Burn’s ‘Justice of the Peace,’ 584

Burns’ Letters, 49, note (c)

Lord Chesterfield’s Letters, 44, 49, note (c)

Lord Clarendon’s History, 8

‘The Clyde Bill of Entry and Shipping List,’ 40, note (c)

‘The Comical History and Tragical End of Reynard the Fox,’ 763

‘The Court Guide,’ 96

Croker’s Notes to ‘Boswell’s Life of Johnson,’ 126

‘The Duke of Wellington’s Despatches,’ 54

Nelson’s ‘Festivals and Fasts,’ 28

‘Gadbury’s Almanac,’ 286

‘The Great Western Railway Inquiry,’ 192

Reade’s ‘A Hero and Martyr,’ 470

‘How I Lost the County,’ 194

‘How to Dress on £15 a Year,’ 609

‘Illustrated Furniture Guide,’ 98

‘Lawrence’s Lectures on Physiology, &c.,’ 88

‘Life of Jesus, re-written for Young Disciples,’ 91

‘A Little Tour in Ireland,’ 598

‘The Man of his Time,’ 188

‘Memoir of Harriette Wilson,’ 93

‘The Merchants’ and Manufacturers’ Pocket Directory of London,’
764

Pope’s and Swift’s Miscellanies, 27

Murray’s ‘Handbook for Travellers in Switzerland,’ 213, 764

‘The Orchardist,’ 240

Patterson’s ‘Road-Book,’ 39

‘Pedigree of the English People,’ 764

‘Peter Pindar’s Lectures,’ 88

‘Pianista, an Italian Opera Promenade Concert Magazine,’ &c., 762

‘The Pilgrim’s Progress,’ 23

‘Post Office Directories,’ 74

‘The Practice of Photography,’ 760

‘The Reason Why,’ 179

‘Repository of Arts, Manufactures and Agriculture,’ 82

Smiles’ ‘Thrift,’ 502

Smith’s ‘Leading Cases,’ 194, 195, 253

Story’s ‘Commentaries,’ 205

Sugden’s ‘Vendors and Purchasers,’ 175

‘The Term Reports,’ 209

‘Thackerayana, Notes and Anecdotes,’ 190

‘Histories of Thuanus,’ 613

‘Topographical Dictionary of England,’ 760

WORKS OF LITERATURE AND ART REFERRED TO—*continued.**Books—continued.**Works of General Literature—continued.*

- 'Lady Tyrawley's Letters,' 45
- Webb's 'Precedents of Conveyancing,' 9
- 'The Whole Duty of Man,' 27
- 'A Boy's Adventures in the Wilds of Australia,' 606-608
- Viner's 'Abridgment,' 63, note (a), 206
- Comyns' 'Abridgment,' 206
- Rolle's 'Abridgment,' 281
- 'Abridgment of Cases in Equity,' 207

*Musical and Dramatic Works,**Plays,*

- 'The Agreeable Surprise,' 296
- 'The Colleen Bawn,' 299
- 'The Shaughraun,' 333
- Byron's 'Marino Faliero,' 33
- 'Doing for the Best,' 165
- Sheridan's 'Duenna,' 296
- 'Frou-frou,' 482
- 'Glory,' 340
- 'Gold,' 339
- 'The Happiest Day of my Life,' 162
- 'The Happy Land,' 315, note (a)
- 'The King's Wager,' 131, 321
- 'Like to Like,' 482
- 'Love à la Mode, 9, 295
- 'Momentous Question,' 230
- 'Old Joe and Young Joe,' 318
- 'Shop,' 340
- 'Under the Gaslight,' 327
- 'The White Cat,' 230
- 'After Dark,' 327

Songs,

- 'The Wreath,' 216
- 'Bon Soir,' 248
- 'The Charms of Berlin,' 472
- 'Come to Peckham Rye,' 301, 310
- 'Come where the Moonbeams Linger,' 293, note (a)
- 'Dermot Astore,' 232, note (a)
- 'Good Night! Heaven Bless you!' 247
- 'Hero and Leander,' 247
- 'I'll Cast my Rose on the Waters,' 95
- 'Kathleen Mavourreen,' 232, note (a)
- 'Lillie Dale,' 316
- 'Minnie,' 73, 346, 761
- 'Minnie Dale,' 346
- 'Minnie, Dear Minnie,' 346
- 'Pestal,' 227, 345
- 'La Reine de Saba,' 248
- Russell's 'Ship on Fire,' 304
- 'Slap Bang! Here We are Again!' 293, note (a)
- 'Spinning by her Cottage Door,' 95
- 'Spring Carol,' 95
- 'Under the Willows,' 95
- 'Very Suspicious,' 293, note (a)

WORKS OF LITERATURE AND ART REFERRED TO—*continued.**Musical and Dramatic Works—continued.**Other Music,*

- 'What an Afternoon!' 232, note (b)
- Bellini's 'Sonnambula,' 166
- 'The Burlesque Valse,' 293, note (a)
- 'The Cornflower Valse' 293, note (a)
- 'Fra Diavolo,' 142, 241
- Auber's 'Lestocq,' 209
- Offenbach's 'Vert-vert,' 476
- 'Popular Favourites for the Pianoforte,' 293, note (a)
- 'Prince Imperial Galop,' 293, note (a)
- 'The Serious Family Polka,' 75
- 'The Sweetly Pretty Valse,' 293, note (a)

Works of Art,

- 'Belshazzar's Feast,' 374
- 'Death of Chatterton,' 34
- Landseer's 'Eve of the Battle of Edgehill,' 403, 404
- Frith's 'Railway Station,' 405
- Eddis's 'Going to Work,' 392
- 'Holiday Time,' 392, 393
- Rosa Bonheur's 'Horse Fair,' 371
- Millais' 'Huguenot,' 372, 373
- Hunt's 'Light of the World,' 371, Appendix (I.)
- 'Ordered on Foreign Service,' 394
- 'My First Sermon,' 394
- 'My Second Sermon,' 394
- Thompson's 'Roll-Call' 397
- 'The Young Cricketer,' 395, note (c)

WOVEN FABRICS,

copyright in designs as applied to, 412, 646, 693, 735

WRAPPERS,

may be rejected by registrar under Designs Acts, 449
imitation of, 72

'WREATH' (The), 216

WRITING: *see also* LETTERS; MANUSCRIPT.

as to whether assignment of copyright must be in, 159, 161, 165, 318
contracts between authors and publishers should be in, 578

YARN,

copyright in designs as applied to, 412, 646, 735

YATES,

arguments against literary property, 6, 7

'YOUNG CRICKETER' (The), 395, note (c)

