Copyright Enactments Prior to the 1909 Act, Including the English Statute of Anne (1710) and Original State Statutes from 1783

Copyright Laws Passed by the Original States, (1783-1786)

[1]--Connecticut

AN ACT for the encouragement of literature and genius.

Whereas it is perfectly agreeable to the principles of natural equity and justice, that every author should be secured in receiving the profits that may arise from the sale of his works, and such security may encourage men of learning and genius to publish their writings; which may do honor to their country, and service to mankind.

Be it enacted by the governor, council and representatives, in general court assembled, and by the authority of the same, That the author of any book or pamphlet not yet printed, or of any map or chart, being an inhabitant or resident in these United States, and his heirs and assigns, shall have the sole liberty of printing, publishing and vending the same within this State, for the term of fourteen years, to commence from the day of its first publication in this State. And if any person or persons within the said term of fourteen years as aforesaid, shall presume to print or re-print any such book, pamphlet, map or chart within this State, or to import or introduce into this State for sale, any copies thereof, re-printed beyond the limits of this State, or shall knowingly publish, vend and utter, or distribute the same without the consent of the proprietor thereof in writing, signed in the presence of two credible witnesses, every such person or persons shall forfeit and pay to the proprietor of such book, pamphlet, map or chart double the value of all the copies thereof, so printed, imported, distributed, vended, or exposed for sale; to be recovered by such proprietor in any court of law in this State, proper to try the same.

Provided nevertheless, That no author, assignee or proprietor of any such book, pamphlet, map or chart shall be entitled to take the benefit of this statute, until he shall duly register his name as author, assignee, or proprietor, with the title thereof, in the office of the Secretary of this State, who is hereby impowered and directed to enter the same on record.

And be it further enacted by the authority aforesaid, That at the expiration of the said term of fourteen years, in the cases above mentioned, the sole right of printing and disposing of any such book, pamphlet, map or chart in this State, shall return to the author thereof, if then living, and his heirs and assigns, for the term of fourteen years more, to commence at the end of said first term; and that all and every person or persons who shall re-print, import, vend, utter or distribute in this State, any copies thereof without the consent of such proprietor, obtained as aforesaid, during said second term of fourteen years, shall be liable to the same penalties, recoverable in the same manner as is herein before enacted and provided.

And whereas it is equally necessary, for the encouragement of learning, that the inhabitants of this State be furnished with useful books, & c., at reasonable prices:

Be it further enacted, That whenever any such author or proprietor of such book, pamphlet, map or chart, shall neglect to furnish the public with sufficient editions thereof, or shall sell the same at a price unreasonable, and beyond what may be adjudged a sufficient compensation for his labour, time, expence, and risque of sale, the judge of the superior court in this State, on complaint thereof made to him in writing, is hereby authorized and impowered to summon such author or proprietor to appear before the next superior court, to be holden in that county where such author or proprietor dwells, if a resident in this State, if not, in that county where such complainant dwells; and said court are [*sic*] hereby authorized and impowered to enquire into the justice of said complaint, and if the same be found true, to take such sufficient recognizance and security of such author or proprietor, conditioned that he shall within such reasonable time, as said court shall direct, publish and offer for sale in this State, a sufficient number of copies of such book, pamphlet, map, or chart, at such reasonable price as said court shall, on due consideration affix: And if such author or proprietor shall, before said court, neglect or refuse to give such security as aforesaid, the said court are [*sic*] hereby authorized and impowered to give such complainant, a full and ample licence to re-print and publish such book, pamphlet, map or chart, in such numbers and for such term as said court shall judge just and reasonable: *Provided* said complainant shall give sufficient security before said court, to afford said reprinted edition at such reasonable price as said court shall thereto affix.

And be it further enacted, That any person or persons who shall procure and print any unpublished manuscript, without the consent and approbation of the author or proprietor thereof, first had and obtained, (if such author or proprietor be living, and resident in, or inhabitant of these United States) shall be liable to suffer and pay to the said author or proprietor his just damages for such injury; to be recovered by action brought on this statute, in any court of law in this State, proper to try the same.

Provided always, That nothing in this act shall extend to affect, prejudice or confirm the rights which any person may have to the printing or publishing of any book, pamphlet, map or chart, at common law, in cases not mentioned in this act, or to screen from legal punishment any person or persons who may be guilty of printing or publishing any book, pamphlet or paper that may be prophane, treasonable, defamatory, or injurious to government, morals or religion.

Provided also, That this act shall not extend, or be construed to extend in favour, or for the benefit of any author or persons residing in, or inhabitant of any other of the United States, until the State or States, in which such person or persons reside or dwell, shall have passed similar laws in favour of the authors of new publications, and their heirs and assigns.

[1783 Jan. Sess.]

ACTS AND LAWS OF THE STATE OF CONNECTICUT, IN AMERICA [COMPILED BY ROGER SHERMAN AND RICHARD LAW]. 133-34 (New-London, Timothy Green 1784).

[2]--Massachusetts

AN ACT for the purpose of securing to authors the exclusive right and benefit of publishing their literary productions, for twenty-one years.

Whereas the improvement of knowledge, the progress of civilization, the public weal of the community, and the advancement of human happiness, greatly depend on the efforts of learned and ingenious persons in the various arts and sciences: As the principal encouragement such persons can have to make great and beneficial exertions of this nature, must exist in the legal security of the fruits of their study and industry to themselves; and as such security is one of the natural rights of all men, there being no property more peculiarly a man's own than that which is produced by the labour of his mind:

Therefore, to encourage learned and ingenious persons to write useful books for the benefit of mankind:

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That all books, treatises, and other literary works, having the name or names of the author or authors thereof printed and published with the same, shall be the sole property of the said author or authors, being subjects of the United States of America, their heirs and assigns, for the full and compleat term of twenty-one years, from the date of their first publication.

And be it further enacted by the authority aforesaid, That if any person or persons shall print, re-print, publish, sell or expose to sale, or shall cause to be printed, re-printed, published, sold, or exposed to sale, any book, treatise, or other literary work, not yet printed, written by any subject of the United States of America, whose name, as author, shall have been thereto prefixed, without consent of the author or authors, or their assigns, during said term, shall forfeit and pay a sum not exceeding *three thousand pounds*, nor less than *five pounds*, to the use of such author or authors, or their assigns; to be recovered by action of debt in any court of record proper to try the same. Provided always, that every author of such book, treatise, or other literary work shall, in order to his holding such sole property in them, present two printed copies of each and every of them to the library of the University of Cambridge, for the use of the said university; and prior to the recovery of the said forfeiture, or any part thereof, shall produce, in open court where such action shall be tried, a receipt of such book, treatise, or other literary work from the librarian of the said university for the time being. Provided also, that this act shall not be construed to extend in favor or for the benefit of any author or authors, subject or subjects of any other of the United States, until the State or States of which such authors are subjects shall have passed similar laws for securing to authors the exclusive right and benefit of publishing their literary productions.

[March 17, 1783]

ACTS AND LAWS OF THE COMMONWEALTH OF MASSACHUSETTS. 236 (Boston, B. Edes & Sons 1781-['83]).

[3]--Maryland

AN ACT respecting literary property.

Whereas printers, booksellers, and other persons may take the liberty of printing, reprinting, and publishing, or causing to be printed, reprinted, and published, books and other writings, without the consent of the authors or proprietors of such books and writings, to their great injury: For preventing therefore such practices, and for the encouragement of learned men,

II. *Be it enacted by the general assembly of Maryland*, That the author of any book or books, writing or writings, already composed and not printed or published, or that shall be hereafter composed, and his executors, administrators, or assigns, shall have the sole liberty of printing and reprinting such book or books, writing or writings, for the term of fourteen years, to commence from the day of the first publishing of the same; and that if any other person whatsoever, within the time granted and limited by this act as aforesaid, shall print, reprint import or bring into the State, or cause to be printed, reprinted, imported or brought into the State, any such book or books, writing or writings, without the consent of the proprietor or proprietors thereof first had and obtained in writing, signed in the presence of two or more witnesses, or knowing the same to be so printed, reprinted, imported or brought into the State, without the consent of the proprietors, shall sell, publish, or expose to sale, any such book or books, writing or writings, without such consent first had and obtained as aforesaid, then such offender or offenders shall forfeit such book or books, writing or writings, to the proprietor or proprietors; and further, that every such offender or offenders shall forfeit two-pence for every sheet which shall be found in his, her, or their custody, either printed or printing, published or exposed to sale, contrary to the true intent and meaning of this act.

III. And, whereas many persons may through ignorance offend against this act, unless some provision be made, whereby the property in every such book as is intended by this act to be secured to the proprietor or proprietors thereof may be ascertained: Therefore, be it enacted that nothing in this act contained shall be construed to extend to subject any person whatsoever to the forfeitures and penalties herein mentioned, or by reason of the printing, reprinting, importing, bringing into the State, or causing to be brought into the State, selling or exposing to sale, of any book or books, writing or writings, without the consent of the proprietor or proprietors, unless the title to the copy of such book or books, writing or writings, hereafter published, shall, before such publication by the proprietor or proprietors, be entered into a register, to be kept by the clerk of the general court for that purpose; which register may, at all reasonable and convenient times, be resorted to and inspected by any person, for the purpose before mentioned, without any fee or reward; and the clerk aforesaid, when and as often as thereunto required, shall give a certificate under his hand of such entry or entries, and for every such certificate may take and receive a fee of three shillings and nine-pence.

IV. *And be it enacted*, That all actions or informations for any offence that shall be committed against this act, shall be brought and commenced within twelve months after such offence committed, or the same shall be void and of none effect.

V. *Provided always*, That after the expiration of the aforesaid term of fourteen years, the sole right of printing or disposing of copies shall return to the authors thereof, if they are then living, for another term of fourteen years.

VI. This act to commence and be in force from and after the time that similar laws shall be passed respecting literary property in all and every of the United States.

[April 21, 1783]

LAWS OF MARYLAND, MADE AND PASSED, AT A SESSION OF ASSEMBLY, BEGUN AND HELD AT THE CITY OF ANNAPOLIS ON MONDAY THE 21st OF APRIL, 1783. chapter 34 (Annapolis, F. Green, 1783).

[4]--New Jersey

AN ACT for the promotion and encouragement of literature.

Whereas learning tends to the embellishment of human nature, the honour of the nation, and the general good of mankind; and as it is perfectly agreeable to the principles of equity, that men of learning who devote their time and talents to the preparing treatises for publication, should have the profits that may arise from the sale of their works secured the them: Therefore,

SEC. 1. *Be it enacted by the council and general assembly of this State, and it is hereby enacted by the authority of the same*, That the author of any book or pamphlet not yet printed, being an inhabitant or resident in the United States of America, and his heirs and assigns, shall have the exclusive right of printing, publishing, and vending the same within this State for the term of fourteen years, to commence from the day of its first publication in this State; and if any person

or persons within said term of fourteen years, as aforesaid, shall presume to print any such book or pamphlet within this State, or to introduce into this State for sale any copies of such book or pamphlet printed beyond the limits of this State, or shall knowingly publish, vend, utter, or distribute the same without the consent of the author or proprietor thereof in writing, duly attested, every such person or persons shall forfeit and pay to the author or proprietor of such book or pamphlet double the value of all the copies of such book or pamphlet so printed, introduced, distributed, vended, or exposed for sale, to be recovered by such author or proprietor in any court of this State where the same may be cognizable: *Provided, nevertheless*, That no author, assignee, or proprietor of any such book or pamphlet shall be entitled to the benefit of this act until he shall duly register his name as author, assignee, or proprietor, with the title of such book or pamphlet in the secretary's office of this State, who is hereby required to enter the same on record.

2. *And be it further enacted by the authority aforesaid*, That at the expiration of said term of fourteen years, in the cases herein before mentioned, the exclusive right of printing and disposing of any such book or pamphlet in this State, shall return to the author thereof, if then living, his heirs and assigns, for the term of fourteen years more; and that all and every person or persons who shall re-print, import, vend, utter, or distribute in this State any copies thereof without the consent of such author or proprietor obtained as aforesaid, during said second term of fourteen years, shall be liable to the same penalties, to be recovered in the same manner as is herein before directed.

[May 27, 1783]

ACTS OF THE SEVENTH GENERAL ASSEMBLY OF THE STATE OF NEW JERSEY, AT A SESSION BEGUN AT TRENTON, ON THE 22D DAY OF OCTOBER, 1782, and continued by adjournments, being the second sitting. 47 (Trenton, Isaac Collins, 1783).

[5]--New Hampshire

AN ACT for the encouragement of literature and genius, and for securing to authors the exclusive right and benefit of publishing their literary productions, for twenty years.

As the improvement of knowledge, the progress of civilization, and the advancement of human happiness, greatly depend on the efforts of ingenious persons in the various arts and sciences; as the principal encouragement such persons can have to make great and beneficial exertions of this nature, must consist in the legal security of the fruits of their study and industry to themselves; and as such security is one of the natural rights of all men, there being no property more peculiarly a man's own than that which is produced by the labour of his mind: Therefore, to encourage the publication of literary productions, honorary and beneficial to the public,

Be it enacted by the council and house of representatives in general assembly convened, and by the authority of the same, That all books, treatises, and other literary works, having the name or names of the author or authors thereof, printed and published with the same, shall be the sole property of the said author or authors, being subjects of the United States of America, their heirs and assigns, for the full and complete term of twenty years from the date of their first publication.

And it is further enacted by the authority aforesaid, That if any person or persons shall print, re-print, publish, sell, or expose to sale; or shall cause to be printed, re-printed, published, sold, or exposed to sale, any book, treatise, or other literary work, not yet printed, written by any subject of the United States of America whose name as author shall have been thereto prefixed without the consent of the author or authors, or their assigns, during said term, shall forfeit and pay a sum not exceeding one thousand pounds nor less than five pounds, to the use of such author or authors, or their assigns; to be recovered by action of debt in any court of record proper to try the same.

Provided always, That this act shall not be construed to extend in favour, or for the benefit of any author or authors, subject or subjects of any other of the United States, until the State or States of which such authors are subjects shall have passed similar laws for securing to authors the exclusive right and benefit of publishing their literary productions.

[Nov. 7, 1783]

THE PERPETUAL LAWS OF THE STATE OF NEW-HAMPHSIRE, FROM JULY, 1776, TO THE SESSION IN DECEMBER, 1788, CONTINUED INTO 1789. 161-62 (Portsmouth, J. Melcher, 1789).

[6]--Rhode Island

AN ACT for the purpose of securing to authors the exclusive right and benefit of publishing their literary productions, for twenty-one years.

Whereas the improvement of knowledge, the progress of civilization, the public weal of the community, and the advancement of human happiness, greatly depend on the efforts of learned and ingenious persons, in the various arts and sciences; as the principal encouragement such persons can have to make great and beneficial exertions of this nature, must exist in the legal security of the fruits of their study and industry to themselves; and as such security is the natural right of all men, there being no property more peculiarly a man's own than that which is produced by the labour of his mind;

Be it therefore enacted by this general assembly, and by the authority thereof it is enacted, That all books, treatises, and other literary productions, having the name of the author or authors thereof published and printed with the same, shall be the sole property of such author or authors, being citizens of the United States of America, their heirs and assigns, for the full and complete term of twenty-one years from the date of the publication.

And be it further enacted by the authority aforesaid, That if any person or persons shall print, reprint, publish, sell, or expose to sale, or shall cause to be printed, reprinted, published, sold, or exposed to sale, any book, treatise, or other literary production, not yet printed, written by any citizen or citizens of the United States of America, whose name or names, as author or authors, shall be thereto prefixed, without the consent of the author or authors, or their assigns, during the said term of twenty-one years, shall forfeit and pay a sum not exceeding three thousand pounds, lawful money, nor less than five pounds, to the use of such author or authors, or their assigns, to be recovered by action of debt, in any court of record proper to try the same.

Provided nevertheless, and it is further enacted, That this act shall not be construed to extend to the favour or benefit of any author or authors, being a citizen or citizens of any other of the said United States, until the State whereof he or they are citizen or citizens shall pass similar laws for securing to authors the exclusive right and benefit of publishing their literary productions.

[Dec. Sess. 1783]

AT THE GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY OF THE STATE OF RHODE-ISLAND AND PROVIDENCE-PLANTATIONS, BEGUN AND HOLDEN AT EAST-GREENWICH ON THE 4TH MONDAY OF DECEMBER, 1783. 6-7 (Providence, J. Carter, 1783).

[7]--Pennsylvania

AN ACT for the encouragement and promotion of learning by vesting a right to the copies of printed books in the authors or purchasers of such copies, during the time therein mentioned.

SEC. I. Whereas the honorable the Congress of the United States, by their resolution of the second day of May, one thousand seven hundred and eighty-three, have recommended to the several States to secure to the authors or publishers of any new books not hitherto printed, being citizens of the United States, and to their executors, administrators, and assigns, the copy right of such books for a certain time.

SEC. II. And whereas printers, booksellers, and other persons have heretofore frequently taken the liberty of printing, reprinting, and publishing, or causing to be reprinted and published books and other writings without the consent of the author or proprietors of such books and writings, to their very great detriment and the damage of their families; for preventing, therefore, such practice for the future, and for the encouragement of learned men to compose and write useful books; and in order to give all due force to the recommendations of Congress:

SEC. III. *Be it enacted, and it is hereby enacted by the representatives of the freemen of the Commonwealth of Pennsylvania in general assembly met, and by the authority of the same*, That from and after the passing of this act, the author of any book or pamphlet not yet printed, being a citizen of the United States of America, and his heirs and assigns, shall have the exclusive right of printing, publishing, and vending the same within this State for the term of fourteen years, to commence from the day of its first printing or publication in this State; and if any person or persons within the term of fourteen years as aforesaid, shall presume to print, publish, vend, or distribute any such book or pamphlet within this State; or to introduce into this State for sale any copies of such book or pamphlet, printed beyond the limits of this State, without the consent of the author or proprietor thereof first lawfully obtained, every such person or persons shall forfeit and pay to the author or proprietor of such book or pamphlet double the value of all the copies of such book or pamphlet so printed, published, vended, distributed or introduced for sale, to be recovered by such author or proprietor in any court of this State where the same may be cognizable; or, if under the value of five pounds, before any two justices of the county where such offense is committed;

SEC. IV. *Provided nevertheless*, That no author, assignee, or proprietor of any such book or pamphlet shall be entitled to the benefit of this act, until he shall duly register his name as author, assignee, or proprietor, with the title of such book or pamphlet, in the prothonotary's office in the city of Philadelphia, who is hereby required to enter the same on record, for which he shall receive five shillings and no more.

SEC. V. *And be it further enacted by the authority aforesaid*, That at the expiration of the aforesaid term of fourteen years in the cases herein before mentioned, the exclusive right of printing and disposing of any such book or pamphlet in this State, shall return to the author thereof, if then living, his heirs and assigns, for the term of fourteen years more; and that all and every person or persons who shall reprint, publish, vend, distribute, or import within this State any copies thereof without the consent of such author or proprietor obtained as aforesaid, during said second term of fourteen years, shall be liable to the same penalties, to be recovered in the same manner as is herein before directed.

SEC. VI. *And provided also*, That no author or proprietor of any book or pamphlet shall be entitled to the benefit of this act unless he shall insert on the back of the title page a copy of the certificate of entry obtained of the prothonotary aforesaid, which the said prothonotary is hereby required to grant without any further reward.

SEC. VII. *Provided nevertheless*, That this act shall not take place until such time as all and every of the States in the Union shall have passed laws similar to the same, in conformity to the recommendation of Congress aforesaid.

[March 15, 1784]

LAWS ENACTED IN THE SECOND SITTING OF THE EIGHTH GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, WHICH COMMENCED THE 13TH DAY OF JAN., 1784. 308-08 (Philadelphia, T. Bradford, 1784).

[8]--South Carolina

AN ACT for the encouragement of arts and sciences.

Be it enacted by the honorable the senate and house of representatives, now met and sitting in general assembly, and by the authority of the same, That from and after the first day of January, one thousand seven hundred and eighty-four, the author of any book or books already printed, who hath not transferred to any other the copy or copies of such book or books, share or shares thereof, or the bookseller or booksellers, printer or printers, or other person or persons, who hath or have purchased or acquired the copy or copies of any book or books, in order to print or re-print the same, shall have the sole right and liberty of printing such book and books, for the term of fourteen years, to commence from the said first day of January, and no longer; and that the author of any book or books already composed, and not printed and published, or that shall hereafter be composed, and his assignee or assigns, shall have the sole liberty of printing and re-printing such book or books for the said term of fourteen years, to commence from the day of first publishing the same, and no longer; and that if any other bookseller, printer or any other person whatsoever, from and after the first day of January, one thousand seven hundred and eighty-four, within the times granted and limited by this act as aforesaid, shall print, re-print, or import, or cause to be printed, re-printed, or imported, any such book or books, without the consent of the proprietor or proprietors thereof, first had and obtained in writing signed in the presence of two or more credible witnesses; or knowing the same to be so printed or re-printed, without the consent of the proprietors, shall sell, publish, or expose to sale, or cause to [be] sold, published, or exposed to sale, any such book or books, without such consent first had and obtained as aforesaid; then such offender or offenders shall forfeit such book or books, and all and every sheet or sheets, being part of such book or books, to the proprietor or proprietors of the copy thereof, who shall forthwith damask and make waste paper of them; and further, that every such offender or offenders shall forfeit one shilling for every sheet which shall be found in his, her, or their custody, either printed or printing, published or exposed to sale, contrary of the true intent and meaning of this act; the one moiety thereof to the State, and the other moiety thereof to any person or persons that shall sue for the same, to be recovered in any court of record of the said State, by action of debt, bill, plaint or information, in which no wager of law, essoign, privilege or protection, or more than one imparlance, shall be allowed.

And whereas many persons may, through ignorance, offend against this act, unless some provision be made whereby the property in every such book, as is intended by this act to be secured to the proprietor or proprietors thereof, may be ascertained, as likewise the consent of such proprietor or proprietors for the printing or re-printing of such book or books may from time to time be known;

Be it therefore further enacted by the authority aforesaid, That nothing in this act contained shall be construed to extend to subject any bookseller, printer, or other person whatsoever, to the forfeitures or penalties therein mentioned,

for or by reason of the printing or re-printing of any book or books, without such consent as aforesaid, unless the title to the copy of such book or books hereafter published, shall, before such publication, be entered in a register book provided for that purpose by the secretary of the State, which register book shall at all times be kept at the secretary's office; and unless such consent of the proprietor or proprietors be in like manner entered as aforesaid, for every one of which several entries four shillings and eight pence sterling shall be paid, and no more; which said register book may, at all office hours, be resorted to, and inspected, by any bookseller, printer, or other person, for the purposes before mentioned, without any fee or reward; and the secretary shall, when and as often as thereunto required, give a certificate under his hand of such entry or entries, and for every such certificate may take a fee not exceeding two shillings and four pence. *Provided*, That nothing in this act contained do extend, or shall be construed to extend, to prohibit the importation, vending, or selling of any book in Greek, Latin, or any other foreign language, printed beyond the seas; anything in this act to the contrary notwithstanding.

Be it further enacted by the authority aforesaid, That whenever any such author or proprietor of such book or pamphlet shall neglect to furnish the public with sufficient editions thereof, or shall sell the same at a price unreasonable, and beyond what may be adjudged a sufficient compensation for his labour, time, expences, and risque of sale, the judges of the court of common pleas in this State, on complaint made therof to them in writing, are hereby authorized, empowered, and directed to summon such author, or proprietor, to appear before the next court of common pleas to be holden in the district where such author, or proprietor, dwells, if a resident in this State; if not, in the district where such complainant resides; and the said court are hereby authorized and required to enquire into the justice of the said complaint; and, if the same be found true, to take sufficient recognizance and security of such author, or proprietor, conditioned that he shall within such reasonable time as the said court shall direct, publish, and offer for sale in this State, a sufficient number of copies of such book or pamphlet, at such reasonable price as the said court shall, on due consideration, affix; and if such author, or proprietor, shall, before said court, neglect or refuse to give such security as aforesaid, the said court are [*sic*] hereby authorized and empowered to give to such complainant a full and ample license to reprint and publish such book or pamphlet, in such number and for such term as said court shall judge just and reasonable, provided such complainant shall give sufficient security before such court, to afford such re-printed edition at such reasonable price as the said court shall thereto affix.

And be it further enacted by the authority aforesaid, That the inventors of useful machines shall have a like exclusive privilege of making or vending their machines for the like term of fourteen years, under the same privileges and restrictions hereby granted to, and imposed on, the authors of books.

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

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

Provided always, That after the expiration of the said term of fourteen years, the sole right of printing, or disposing of copies, shall return to the authors thereof, if they are then living, for another term of fourteen years.

[March 26, 1784]

ACTS, ORDINANCES, AND RESOLVES OF THE GENERAL ASSEMBLY OF THE STATE OF SOUTH CAROLINA, PASSED IN THE YEAR 1784. 49-51 (Charleston, 1784).

[9]--Virginia

AN ACT securing to the authors of literary works an exclusive property therein for a limited time.

SECTION I. *Be it enacted by the general assembly*, That the author of any book or pamphlet already printed, being a citizen of any one of the United States, who has not transferred to any other person or persons the copy or copies of any such book or pamphlet, share or shares thereof, his heirs and assigns, or the person or persons who have purchased or acquired such copy or copies, share or shares, in order to print or re-print the same, his heirs and assigns shall have the exclusive right of printing and re-printing such book or pamphlet, within this Commonwealth, for the term of twenty-one years, to be computed from the first publication thereof; and that the author of any book or pamphlet already

composed and not printed or published, or that shall hereafter be composed, being a citizen, as aforesaid, his heirs and assigns shall have the exclusive right of printing and re-printing such book or pamphlet, within this Commonwealth, for the like term of twenty-one years, to be computed from the first publication thereof. And if any person or persons whatsoever, shall print, re-print, or cause to be printed, or re-printed, within this Commonwealth, any such book or pamphlet; or shall import into this Commonwealth, from any foreign Kingdom or State, any printed or re-printed copies of such book or pamphlet; without the consent of the author or proprietor thereof first obtained in writing, signed in presence of two credible witnesses at least; or who, knowing the same to be so printed, re-printed, or imported, without such consent first had and obtained, shall publish, sell, or expose to sale, or cause to be published, sold, or exposed to sale, any copy or copies of any such book or pamphlet; the person or persons offending herein, shall forfeit to the party injured, double the value of all the copies so printed, re-printed, or imported; or so published, sold, or exposed to sale; to be recovered at the suit of such party, in any court of record within this Commonwealth.

SEC. II. *Provided nevertheless*, That no person shall be entitled to the benefit of this act, until he shall have registered the title of such book or pamphlet with the clerk of the council, and procured a certificate of such registry from the said clerk; which certificate the clerk is hereby required to give, taking only three shillings for his trouble.

[October 1785]

ACTS PASSED AT A GENERAL ASSEMBLY OF THE COMMONWEALTH OF VIRGINIA. BEGUN AND HELD IN RICHMOND, ON THE 17TH DAY OF OCTOBER, 1785. 8-9 (Richmond, J. Dunlap & James Hayes, 1785).

[10]--North Carolina

At a general assembly, begun and held at Newbern, on the 19th day of November, in the year of our Lord 1785: Being the first session of this assembly. Chapter 26.

AN ACT for securing literary property.

Whereas nothing is more strictly a man's own than the fruit of his study, and it is proper that men should be encouraged to pursue useful knowledge by the hope of reward; and as the security of literary property must greatly tend to encourage genius, to promote useful discoveries, and to the general extension of arts and commerce:

1. *Be it enacted by the general assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That the author of any book, map or chart, not hitherto printed, who is a citizen of the United States, and his heirs and assigns, shall have the sole liberty of printing, publishing, and vending the same within this State for the term of fourteen years, to commence on the day of its publication; and if any person or persons within the said term of fourteen years, shall presume to print, reprint, or publish any such book, map or chart within this State, or shall import any copy or copies of the same, which have been reprinted beyond the limits of the State, and shall knowingly publish, distribute, or vend the same without the consent of the author or proprietor, in writing, signed in the presence of two credible witnesses, such offender or offenders shall forfeit to the proprietor all the books, maps or charts thus printed, reprinted, imported, published, or offered for sale, together with double the value of the articles so imported; one moiety of which money shall go to the State, the other moiety to him who shall sue for the same for the benefit of the party injured, in any court of record within this State. *Provided nevertheless*, That no author or proprietor of any such book, map or chart, shall be entitled to the benefit of this act, unless he shall, before publication, duly enter his name as author or proprietor, together with the title of the book, map or chart to be published, in the office of the secretary of the State, who is hereby directed to enter the same on record; nor unless he shall, before publication, have delivered to the secretary of the State one copy of such book, map or chart for the use of the executive of the State; of which entry and for which copy the secretary is hereby required to give him a certificate and receipt.

II. *And be it further enacted*, If the author or publisher of any book as aforesaid, shall set an unreasonable price on the same, regard being had to the probable labour, expence, and risk of such author and publisher, the judges of the supreme court, on complaint thereof made in writing by two or more persons, are hereby authorized and empowered to summons such author or publisher to appear before next supreme court, to be holden in that county or district where such author or publisher usually resides; and said court shall enquire into the justice of the complaint, and if the same, on full examination, shall appear to be well founded, they shall correct or settle the price; and if said author or publisher after such price is fixed by the court, shall sell any book at a higher rate, he shall for every offence forfeit twenty Spanish milled dollars, one moiety to the State and the other moiety to the person who shall sue for the same.

III. *And be it further enacted*, That every author who is a citizen in any of the United States, and whose work shall originally be published in any of the United States where laws similar to this are or may be passed for the security of

literary property, or his assigns, being also citizens of the United States, shall be entitled to the benefit of this act and none others. *Provided always*, That nothing contained in this act shall be construed to prevent any person from reprinting any book, map or chart that has been published; or from importing, reprinting, or publishing any book, map or chart that shall be originally published in any other country; nor shall anything in this act be construed to encourage or protect any authors or publishers of books, maps or charts which may be dangerous to civil liberty, or to the peace or morals of society.

[November 19, 1785]

LAWS OF THE STATE OF NORTH-CAROLINA. PUBLISHED, ACCORDING TO ACT OF ASSEMBLY, BY JAMES IREDELL 563-64 (Edenton, Hodge & Wills, 1791).

[11]--Georgia

AN ACT for the encouragement of literature and genius.

Whereas the principles of natural equity and justice, require that every author should be secured in receiving the profits that may arise from the sale of his works, and such security may encourage men of learning and genius to publish their writings, which may do honor to their country, and service to mankind:

Be it enacted by the representatives of the freemen of the State of Georgia, in general assembly met, and by the authority of the same, That the author of any book or pamphlet not yet printed, or of any map or chart, being an inhabitant or resident in these United States, and his heirs and assigns, shall have the sole liberty of printing, publishing, and vending the same, within this State, for the term of fourteen years, to commence from the day of its first publication in this State: And if any person or persons, within said term of fourteen years, shall presume to print or re-print any such book, pamphlet, map or chart, within this State, or to import or introduce into this State for sale, any copies thereof, re-printed beyond the limits of this State, or shall knowingly publish, vend, and utter or distribute the same without the consent of the proprietor thereof in writing, signed in the presence of two credible witnesses, every such person or persons shall forfeit and pay to the proprietor of such book, pamphlet, map or chart, double the value of all the copies thereof so printed, imported, distributed, vended, or exposed for sale, to be recovered by such proprietor in due course of law: *Provided nevertheless*, That no author, assignee, or proprietor, of any such book, pamphlet, map or chart shall be entitled to take the benefit of this statute, until he shall duly register his name as author, assignee, or proprietor, with the title thereof, in the office of the Secretary of the State, who is hereby empowered and directed to enter the same on record.

II. *And be it further enacted by the authority aforesaid*, That at the expiration of the said term of fourteen years in the cases above mentioned, the sole right of printing and disposing of any such book, pamphlet, map or chart in this State, shall return to the author thereof, if then living, and his heirs and assigns, for the term of fourteen years more, to commence at the end of the said first term: And that all and every person or persons who shall re-print, import, vend, utter, or distribute in this State, any copies thereof without the consent of such proprietor obtained as aforesaid during the said second term of fourteen years shall be liable to the same penalties, recoverable in the same manner as is herein before enacted and provided.

III. *And whereas* it is equally necessary for the encouragement of learning, that the inhabitants of this State be furnished with useful books, &c., at reasonable prices: *Be if further enacted*, That whenever any such author or proprietor of such book, pamphlet, map or chart shall neglect to furnish the public with sufficient editions thereof, or shall sell the same at a price unreasonable, and beyond what may be adjudged a sufficient compensation for his labor, time, expense, and risk of sale, the chief justice of the State, on complaint thereof made to him in writing, is hereby authorized and empowered to summon such author or proprietor to appear before the next superior court to be holden in the county where such author or proprietor dwells, if a resident of this State, if not, in the county where such complainant dwells, and said court is hereby authorized and empowered to enquire into the justice of such complaint, and if the same be found true to take sufficient security of such author or proprietor conditioned that he shall, within such reasonable time as the said court shall direct, publish and offer for sale, in this State, a sufficient number of copies of such book, pamphlet, map or chart, at such reasonable price as said court shall, on due consideration affix; and if such author or proprietor shall, before said court, neglect or refuse to give such security as aforesaid, the said court is hereby authorized and empowered to give to such complainant a full and ample license to re-print and publish such book, pamphlet, map or chart in such numbers and for such term as said court shall judge just and reasonable: *Provided*, said complainant shall give sufficient security before said court to afford said re-printed edition at such reasonable price as said court shall thereto affix.

IV. *And be it further enacted*, That any person or persons who shall procure and print any unpublished manuscript, without the consent and approbation of the author or proprietor thereof first had and obtained, if such author or proprietor be living and resident in, or inhabitant of this or any other of the United States, shall be liable to suffer and pay to the said author or proprietor his just damage for such injury, to be recovered by action brought on this statute in any court of law in this State proper to try the same: *Provided always*, That nothing in this act shall extend to affect, prejudice, or confirm the rights which any person may have to the printing or publishing of any book, pamphlet, map or chart at common law, in cases not mentioned in this act, or to screen from legal punishment any person or persons who may be guilty of printing or publishing any book, pamphlet, or paper that may be prophane, treasonable, defamatory, or injurious to government, morals, or religion: *Provided also*, That this act shall not extend, or be construed to extend, in favor or for the benefit of any author or person residing in or inhabitant of any other of the United States until the State or States in which such person or persons reside or dwell, shall have passed similar laws in favor of the authors of new publications, and their heirs and assigns.

[February 3, 1786]

A DIGEST OF THE LAWS OF THE STATE OF GEORGIA. FROM ITS FIRST ESTABLISHMENT AS A BRITISH PROVINCE DOWN TO THE YEAR 1798, INCLUSIVE. BY ROBERT AND GEORGE WATKINS. 323-25 (Philadelphia, R. Aitken).

[12]--New York

AN ACT to promote literature.

Whereas it is agreeable to the principles of natural equity and justice that every author should be secured in receiving the profits that may arise from the sale of his or her works; and such security may encourage persons of learning and genius to publish their writings, which may do honour to their country and service to mankind:

I. *Be it enacted by the people of the State of New York, represented in senate and assembly, and it is hereby enacted by the authority of the same*, That the author of any book or pamphlet, being an inhabitant or resident in these United States, and his or her heirs and assigns, shall have the sole liberty of printing, publishing, and vending the same within this State, for the term of fourteen years, to commence from the day of its first publication in this State; and if any person or persons within the said term of fourteen years as aforesaid, shall presume to print or re-print any such book or pamphlet within this State, or to import or introduce into this State for sale, any copies of such book or pamphlet, reprinted beyond the limits of this State, or shall knowingly publish, vend, utter, or distribute the same, without the consent of the proprietor thereof in writing, signed in the presence of two credible witnesses, every such person or persons shall forfeit and pay to the proprietor of such book or pamphlet, double the value of all the copies of such book or pamphlet so re-printed, imported, distributed, vended, or exposed to sale, to be recovered by such proprietor in any court of law in this State, proper to try the same. *Provided nevertheless*, that no author, assignee, or proprietor of such book or pamphlet, shall be entitled to take the benefit of this act, until he or she shall duly register his or her name, as author, assignee, or proprietor, with the title of such book or pamphlet in the office of the Secretary of this State, who is hereby empowered and directed to enter the same on record.

II. *And be if further enacted by the authority aforesaid*, That at the expiration of the said term of fourteen years, in the cases above mentioned, the sole right of printing and disposing of any such book or pamphlet in this State, shall return to the author thereof, if then living, and his or her heirs or assigns, for the term of fourteen years more, to commence at the end of the said first term, and that all and every person or persons who shall re-print, import, vend, utter, or distribute in this State any copies thereof, without the consent of such proprietor obtained as aforesaid, during the said second term of fourteen years, shall be liable to the same penalties, recoverable in the same manner as is herein before enacted and provided.

And whereas it is equally necessary for the encouragement of learning, that the inhabitants of this State be furnished with useful books at reasonable prices:

III. *Be it further enacted by the authority aforesaid*, That whenever any such author or proprietor of such book or pamphlet shall neglect to furnish the public with sufficient editions thereof, or shall sell the same at a price unreasonable, and beyond what may be adjudged a sufficient compensation for his or her labour, time, expences, and risque of sale, any one of the judges of the supreme court of judicature of this State, on complaint made thereof to him in writing, is hereby authorized and impowered to summon such author or proprietor to appear at the next supreme court of judicature, and the said court are hereby authorized and impowered to enquire into the justice of the said complaint, and if the same be found true, to take sufficient recognizance and security of such author or proprietor, conditioned that

he or she shall, within such reasonable time as the court shall direct, publish and offer for sale in this State, a sufficient number of copies of such book or pamphlet, at snch [sic] reasonable price as the said court shall on due consideration affix, and if such author or proprietor shall neglect or refuse to give such security as aforesaid, the said court are hereby authorized and empowered to give such complainant a full and ample licence to re-print and publish such book or pamphlet in such numbers and for such term as the said court shall judge just and reasonable: *Provided*, Such complainant shall give sufficient security before the said court to afford such re-printed edition at such reasonable price as the said court shall thereto affix.

IV. *And be it further enacted by the authority aforesaid*, That any person or persons who shall procure and print any unpublished manuscript, without the consent and approbation of the author or proprietor thereof first had and obtained, if such author or proprietor be living and resident in, or inhabitant of these United States, shall be liable to pay to the said author or proprietor his or her damages for such injury, to be recovered with costs, by action brought on this act in any court of record. *Provided always*, that nothing in this act shall extend to effect, prejudice, or confirm the rights which any person may have to the printing or publishing of any book, or pamphlet, at common law, in cases not mentioned in this act; or to authorize any person or persons to print or publish any book, pamphlet, or paper that may be profane, treasonable, defamatory, or injurious to government, morals, or religion. *Provided also*, that this act shall not extend or be construed to extend in favour or for the benefit of any author or person residing in, or inhabitant of any other of the United States until the State in which such person resides or dwells shall have passed similar laws in favor of the authors of such new publications and their heirs and assigns.

V. *And be it further enacted by the authority aforesaid*, That the trustees of the Reformed Protestant Dutch Church, of Flat Bush, in the county of Kings, shall be, and they are hereby authorized to grant, bargain, and sell, in fee simple, such part or parts of their real estate within the said county, to such person or persons, and for such price or prices as they may think proper, for the express purpose of erecting an academy in the said county. *Provided*, That the quantity which the said trustees shall grant and convey by virtue of this act shall not exceed six acres.

[April 29, 1786]

LAWS OF THE STATE OF NEW-YORK, PASSED BY THE LEGISLATURE OF SAID STATE AT THEIR NINTH SESSION. 99-100 (New York, Samuel & John Loudon 1786).

*. Editor's Note: Except for the Statute of Anne, this appendix is primarily derived from a portion of the document *Laws passed in the United States Since 1983 Relating to Copyright*, which was published as Copyright Office Bulletin No. 3, and revised until 1963. The Preface to that document reads as follows:"This loose-leaf compilation of United States copyright laws and related matter, which has been prepared for public as well as official use, is essentially a revision and expansion of Copyright Office Bulletin No. 3, originally compiled in 1900 by Thorvald Solberg, who was then Register of Copyrights."A previous compilation which covered the years 1783-1952 and was prepared under the supervision of Louis Charles Smith, former Senior Attorney in the Copyright Office, was internally processed in 1952 as a working paper for the Copyright Office staff. This new edition has been brought up to date through the year 1962."