

**A HANDBOOK OF
ENGLISH AND FOREIGN
COPYRIGHT IN LITERARY
AND DRAMATIC WORKS**

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A Handbook of English and Foreign Copyright in Literary and Dramatic Works by Sidney Jerrold

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COPYRIGHT

IN LITERARY AND DRAMATIC WORKS

BEING

A CONCISE DIGEST OF THE LAWS REGULATING COPYRIGHT IN SOME
OF THE CHIEF COUNTRIES OF THE WORLD, TOGETHER WITH AN
ANALYSIS OF THE CHIEF COPYRIGHT CONVENTIONS EXISTING
BETWEEN GREAT BRITAIN AND FOREIGN COUNTRIES

BY

SIDNEY JERROLD

OF THE MIDDLE TEMPLE, ESQ., BARRISTER-AT-LAW



London

CHATTO AND WINDUS, PICCADILLY

1881

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INTRODUCTION.

It is not always that the legislator can derive any practical benefit from a study of foreign laws on a subject which engages his attention. It is obvious that where law is the direct outcome of national character and peculiarities it is scarcely fitted for any country but its own. Where, however, it is, so to say, quite extraneous and artificial, as is the case with copyright law, a foreign legal system may usefully be studied for the purposes of comparison. It would be to waste paper and ink to dwell on the importance, to all classes, of the law of copyright. It is at present engaging the attention of many countries besides our own. Three years ago an Association¹ was founded whose chief object is to promote the improvement of

¹ The International Literary Association, founded at Paris in 1878, where and when it held a congress. A similar congress was held at London in 1879, at Lisbon in 1880, and is to be held at Vienna this year.

copyright laws, and to secure a uniform international copyright for the whole civilised world. In 1878 a Copyright Commission was issued by Her Majesty, the chief recommendations of which will be found in the Appendix to this book. At the beginning of this year Mr. James Russell Lowell, the United States Minister in London, handed to Her Majesty's Government the draft of a proposed Copyright Convention between Great Britain and America. The text of this proposal, with the suggested additions and alterations, will also be found in the Appendix.

There is very little chance of any Copyright Bill getting through Parliament this session; nor is there much hope of the Anglo-American Convention being concluded for a long time to come. I have thought that, therefore, some such general view as this of the whole subject of copyright, both at home and abroad, might be useful to all who are interested in the subject of copyright, and who would be, perhaps, embarrassed by referring to the many large professional text-books on copyright which are extant.¹ These are written

¹ The excellent and elaborate treatise on 'Copyright in America and England,' by Eaton S. Drone (Boston, Mass., 1879), by far the best work on the subject; then Mr. Copin-

for lawyers, and are published at prices which are prohibitive for the general public. This book will be of service to readers who are anxious to form their opinion on the question of copyright; and will, I hope, materially aid all who, when the time for legislation arrives, will be called upon to take part in the discussion of the proposed enactments.

I have stated the law of each country as distinctly and concisely as possible; and, where possible, have myself referred to the original text of the same. In all cases I have indicated the source whence I have obtained the law, and the place where the English reader will find it in the most intelligible form, should he wish to refer to another version of it or to the original. The texts of the chief conventions concluded between this and other countries will be found useful as showing what are the provisions of treaties that have been found to be practically useless.

With regard to the digest of the English and American copyright law, I may be allowed to say that the unscientific character of English legislator's '*Law of Copyright*' (London, 1881), with a good account of the foreign law; and Mr. Shortt's able work on the same subject (London, 1871).

lation on the subject, and the vast number of conflicting and confused decisions interpreting and obscuring it, have made the task anything but easy, despite the assistance often afforded by the valuable text-books that I have alluded to. I think, however, that I have stated the law correctly, though I feel that another might have done it more elegantly and concisely. I have forbore to state my authorities—such as cases and sections of statutes—as I proceeded, for that would have increased too much the size of this book, and would have been of little help to lay readers, for whom it is chiefly written. This little book has no scientific pretensions, and I shall be content if it is found a useful handybook by the general public; and, since brevity is the soul of a preface, I will say no more.

S. J.

MIDDLE TEMPLE, August 1, 1881.

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