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HON. THE EARL STANHOPE**

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by John Camden Hotten

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# Literary Copyright.

Seven Letters addressed by  
permission to

The Right Hon.

The Earl Stanhope,

D.C.L., LL.D., F.R.S.

By

John Camden Hotten.

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1871.

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opposite ground, I do but maintain a principle deliberately sanctioned by our Legislature, after many debates; nor, I believe, has the Legislature of any civilised country scrupled, on grounds of public policy, to refuse to authors perpetual copyright. With the alleged anomaly of limiting a man's right to the work of his brain, while, as it is sometimes expressed, the work of his hands is his, and his heirs for ever, I have nothing to do. But it is certainly a mistake to assume that literary property is the only kind on which the Legislature imposes special limitations. The case of Inventors, whatever has been said to the contrary, is strictly analogous; and every tax on a profession, or impost on the productions of any particular kind of industry, is but another illustration of the assumed competency of the Legislature to prescribe, in the public interest, the conditions on which men shall labour, always provided that no one shall be constrained to adopt any calling which is the subject of a special burden, or denied any privilege accorded to others. For the case of genius it is, of course, difficult to legislate; but in

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modern times literature is, as a rule, simply a profession. If the writers of books, therefore, should think themselves unfairly treated by the Legislature, it is, perhaps, sufficient for the Legislature to answer, that no man need write books unless he pleases.

My remarks, as the title of this little book implies, are strictly confined to literary copyright, and therefore leave untouched the numerous and glaring defects in our laws affecting property in Music and the Fine Arts. Some of the views I have brought forward are, I believe, new; all are certainly important both to the interests of authors, and those of the public. I sincerely hope that the present publication may contribute something to the formation of opinion on the subject, and aid, in however slight a degree, in promoting the consolidation and improvement of English Copyright Law.

J. C. H.

*Piccadilly*, October, 1871.

POSTSCRIPT.—These letters were prepared for the press in May, 1870. The absorbing interest of the War on the Continent induced me to postpone their

publication; but I have judged it best to publish them as then written, although I have in some places, as will be found, referred to Mr. Dickens as still living.

J. C. H.

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