

nor to extend
to any offence
committed
against the act
22 Geo. 2.
before July 1,
1777.

XXIV. Provided also, and be it further enacted, That nothing contained in this act shall extend to, or affect, any person or persons for any offence committed or to be committed against the said recited act of the twenty-second year of the reign of his late majesty King *George the Second*, before the said first day of *July*, one thousand seven hundred and seventy-seven; but all and every such offender and offenders shall and may be prosecuted and punished in the same manner as if this act had not been made.

Limitation of
actions.

XXV. And be it further enacted, That if any suit or action shall be commenced or prosecuted against any person or persons, for any thing done or to be done in pursuance of this act, every such suit or action shall be severally brought, laid, and tried, in the county or place where the fact was committed, and not elsewhere; and the defendant or defendants in every such action or suit shall and may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance of and by the authority of this act; and if it shall appear to be so done, or if any such suit or action shall be brought in any other county or place than where the fact was committed, then the jury shall find for the defendant or defendants; and upon such verdict, or if the plaintiff or plaintiffs shall become nonsuit, or discontinue his, her, or their action after the defendant or defendants shall have appeared, or if, upon demurrer, judgement shall be given against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same as any defendant or defendants hath or have for costs in other cases at law.

General issue.

Treble costs.

C A P. LVII.

Dictis v. Brooks
15 Ch. D. 22.

An act for more effectually securing the property of prints to inventors and engravers, by enabling them to sue for and recover penalties in certain cases.

Preamble.
Recital of acts
8 Geo. 2.

and 7 Geo. 3.

WHEREAS an act of parliament passed in the eighth year of the reign of his late majesty King *George the Second*, intituled, An act for the encouragement of the arts of designing, engraving, and etching historical and other prints, by vesting the properties thereof in the inventors and engravers, during the time therein mentioned: and whereas by an act of parliament, passed in the seventh year of the reign of his present Majesty, for amending and rendering more effectual the aforesaid act, and for other purposes therein mentioned, it was (amongst other things) enacted, That, from and after the first day of *January*, one thousand seven hundred and sixty-seven, all and every person or persons who should engrave, etch, or work in mezzotinto or chiaro oscuro, or cause to be engraved, etched, or worked, any print taken from any picture, drawing, model, or sculpture, either ancient or modern, should have,

and were thereby declared to have, the benefit and protection of the said former act, and that act, for the term therein-after mentioned, in like manner as if such print had been graved or drawn from the original design of such graver, etcher, or draughtsman: and whereas the said acts have not effectually answered the purposes for which they were intended, and it is necessary, for the encouragement of artists, and for securing to them the property of and in their works, and for the advancement and improvement of the aforesaid arts, that such further provisions should be made as are herein-after mentioned and contained; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the twenty-fourth day of June, one thousand seven hundred and seventy-seven, if any engraver, etcher, printseller, or other person, shall, within the time limited by the aforesaid acts, or either of them, engrave, etch, or work, or cause or procure to be engraved, etched, or worked, in mezzotinto or chiaro oscuro, or otherwise, or in any other manner copy in the whole, or in part, by varying, adding to, or diminishing from, the main design, or shall print, reprint, or import for sale, or cause or procure to be printed, reprinted, or imported for sale, or shall publish, sell, or otherwise dispose of, or cause or procure to be published, sold, or otherwise disposed of, any copy or copies of any historical print or prints, or any print or prints of any portrait, conversation, landscape, or architecture, map, chart, or plan, or any other print or prints whatsoever, which hath or have been, or shall be, engraved, etched, drawn, or designed, in any part of *Great Britain*, without the express consent of the proprietor or proprietors thereof, first had and obtained in writing, signed by him, her, or them respectively, with his, her, or their own hand or hands, in the presence of, and attested by, two or more credible witnesses, then every such proprietor or proprietors shall and may, by and in a special action upon the case, to be brought against the person or persons so offending, recover such damages as a jury on the trial of such action, or on the execution of a writ of inquiry thereon, shall give or assess, together with double costs of suit.

After June 24, 1777, if any engraver, etc. shall, within the time limited by the aforesaid acts, engrave or etch, etc. any print, without the consent of the proprietor, he shall be liable to damages, and double costs.

C A P. LVIII.

An act for enlarging the publick gaol of the county of Warwick, and for other purposes therein mentioned,