

An Act to amend and render more effectual an Act of His present Majesty, for encouraging the Art of making new Models and Casts of Busts, and other Things therein mentioned; and for giving further Encouragement to such Arts.

[18th May 1814.]

‘ **W**HEREAS by an Act passed in the Thirty eighth Year of the Reign of His present Majesty, intituled *An Act for encouraging the Art of making new Models and Casts of Busts, and other Things therein mentioned*; the sole Right and Property thereof were vested in the original Proprietors, for a time therein specified: And Whereas the Provisions of the said Act having been found ineffectual for the Purposes thereby intended, it is expedient to amend the same, and to make other Provisions and Regulations for the Encouragement of Artists, and to secure to them the Profits of and in their Works, and for the Advancement of the said Arts:’ 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 passing of this Act, every Person or Persons who shall make or cause to be made any new and original Sculpture, or Model, or Copy, or Cast of the Human Figure or Human Figures, or of any Bust or Busts, or of any Part or Parts of the Human Figure, clothed in Drapery or otherwise, or of any Animal or Animals, or of any Part or Parts of

38 G. 3. c. 71.

§ 1.

Sole Right and Property of all new and original Sculpture, Models, Copies and Casts, vested in Proprietors for 14 Years.

any Animal combined with the Human Figure or otherwise, or of any Subject being Matter of Invention in Sculpture, or of any Alto or Basso-Relievo representing any of the Matters or Things hereinbefore mentioned, or any Cast from Nature of the Human Figure, or of any Part or Parts of the Human Figure, or of any Cast from Nature of any Animal, or of any Part or Parts of any Animal, or of any such Subject containing or representing any of the Matters and Things hereinbefore mentioned, whether separate or combined, shall have the sole Right and Property of all and in every such new and original Sculpture, Model, Copy and Cast of the Human Figure or Human Figures, and of all and in every such Bust or Busts, and of all and in every such Part or Parts of the Human Figure, clothed in Drapery or otherwise, and of all and in every such new and original Sculpture, Model, Copy and Cast, representing any Animal or Animals, and of all and in every such Work representing any Part or Parts of any Animal combined with the Human Figure or otherwise, and of all and in every such new and original Sculpture, Model, Copy and Cast of any Subject, being Matter of Invention in Sculpture, and of all and in every such new and original Sculpture, Model, Copy and Cast in Alto or Basso-Relievo, representing any of the Matters or Things hereinbefore mentioned, and of every such Cast from Nature, for the Term of Fourteen Years from first putting forth or publishing the same; provided, in all and in every case, the Proprietor or Proprietors do cause his, her or their Name or Names, with the Date, to be put on all and every such new and original Sculpture, Model, Copy or Cast, and on every such Cast from Nature, before the same shall be put forth or published.

Name and Date
affixed.

Works published
under Act,
vested in Pro-
prietors for 14
Years.

II. And be it further enacted, That the sole Right and Property of all Works, which have been put forth or published under the Protection of the said recited Act, shall be extended, continued to and vested in the respective Proprietors thereof, for the Term of Fourteen Years, to commence from the Date when such last mentioned Works respectively were put forth or published.

Putting forth
pirated Copies
or pirated Casts,
prosecuted.

III. And be it further enacted, That if any Person or Persons shall, within such Term of Fourteen Years, make or import, or cause to be made or imported, or exposed to Sale, or otherwise disposed of, any pirated Copy or pirated Cast of any such new and original Sculpture, or Model or Copy, or Cast of the Human Figure or Human Figures, or of any such Bust or Busts, or of any such Part or Parts of the Human Figure clothed in Drapery or otherwise, or of any such Work of any Animal or Animals, or of any such Part or Parts of any Animal or Animals combined with the Human Figure or otherwise, or of any such Subject being Matter of Invention in Sculpture, or of any such Alto or Basso-Relievo representing any of the Matters or Things hereinbefore mentioned, or of any such Cast from Nature as aforesaid, whether such pirated Copy or pirated Cast be produced by moulding or copying from, or imitating in any way, any of the Matters or Things put forth or published under the Protection of this Act, or of any Works which have been put forth or published under the Protection of the said recited Act, the Right and Property whereof is and are secured, extended and protected by this Act, in any of the cases as aforesaid, to the Detriment, Damage or Loss of the original or respective Proprietor or Proprietors of any such Works so pirated; then and in all such cases
the

the said Proprietor or Proprietors, or their Assignee or Assignees, shall and may, by and in a Special Action upon the Case to be brought against the Person or Persons so offending, receive such Damages as a Jury on a Trial of such Action shall give or assess, together with Double Costs of Suit.

Damages.
Double Costs.

IV. Provided nevertheless, That no Person or Persons who shall or may hereafter purchase the Right or Property of any new and original Sculpture or Model, or Copy or Cast, or of any Cast from Nature, or of any of the Matters and Things published under or protected by virtue of this Act, of the Proprietor or Proprietors, expressed in a Deed 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, shall be subject to any Action for copying or casting, or vending the same; any thing contained in this Act to the contrary notwithstanding.

Purchasers of
Copy Right se-
cured in same.

V. Provided always, and be it further enacted, That all Actions to be brought as aforesaid, against any Person or Persons for any Offence committed against this Act, shall be commenced within Six Calendar Months next after the Discovery of every such Offence, and not afterwards.

Limitation of
Actions.

VI. Provided always, and be it further enacted, That, from and immediately after the Expiration of the said Term of Fourteen Years, the sole Right of making and disposing of such new and original Sculpture, or Model, or Copy, or Cast of any of the Matters or Things hereinbefore mentioned, shall return to the Person or Persons who originally made or caused to be made the same, if he or they shall be then living, for the further Term of Fourteen Years, excepting in the case or cases where such Person or Persons shall by Sale or otherwise have divested himself, herself or themselves, of such Right of making or disposing of any new and original Sculpture, or Model, or Copy, or Cast of any of the Matters or Things hereinbefore mentioned, previous to the passing of this Act.

Additional
Term of 14
Years, in case
Maker of ori-
ginal Sculpture,
&c. shall be
living.