

## COPYRIGHT IN ENGLAND AND THE PUBLIC SINGING OF SONGS.

A peculiar feature of the copyright law in England, which is entirely unknown in America, is the liability of singers and players to a heavy penalty for the performance of certain published songs, unless they have previously purchased the right of performance from holders of the copyright. The *London Music Trades Review*, gives this statement concerning the matter:

"There are two properties or rights in musical compositions; one is the "copyright" which is simply the right of printing or otherwise multiplying copies, and the other is the right of 'representation or performance.'

"These separate rights are in many cases vested in different persons, who are frequently unknown to each other, and some years ago certain publishers were not aware of these two rights, and in purchasing compositions they only bought the copyright, consequently many authors or their executors, finding or being apprized that they still possessed the second right, sold or assigned it, or are doing so now, to the 'Copyright and Performing Right Protection Office,' 8 Colebrooke Row, Islington, London, N., of which Mr. H. Wall is the secretary. There is no printed list or catalogue of the compositions of which this 'Protection Office' now holds the right of performance, and a copy could not be procured without a great amount of labor and considerable cost, and it is constantly undergoing changes; but any person by paying an annual subscription of 10*l.* 10*s.* to this 'Protection Office,' thereby acquires the personal privilege of performing, free of fine or fee, any composition of which it holds the right of performance. The fine for infringing this right is 2*l.* for each performer, and 2*l.* for allowing it to be performed; thus, if a chorus is performed, with an orchestral accompaniment, every member of the chorus and also of the band, is individually liable to a fine of 2*l.*, also the proprietors of the room, for allowing it to be performed.

"As the plea that the performer 'was ignorant that he was offending' or that 'there was no notice whatever on the printed copy which he had purchased, and from which he had performed,' is inadmissible in Court, we think it our duty to caution the public generally against singing songs such as 'She Wore a Wreath of Roses,' 'Will-o'-the-Wisp,' the songs from 'Lily of Killarney,' from 'Maritana,' &c., unless they have first paid the performance fee."

An editorial in another part of the paper continues as follows:

"The 'Protection Office' which Mr. H. Wall directs, is now by no means unknown in various country districts. The performing rights in such old songs as 'Will-o'-the-Wisp,' and 'She Wore a Wreath of Roses,' have long been in obedience, and as until recently the holders of the publishing right were only too glad to allow vocalists to sing their songs; no publisher took the trouble to secure the performing right. Mr. H. Wall was astute enough to perceive this; he studied the law, secured certain performing rights, and now makes a plentiful harvest. Amateur and other vocalists, ignorant of the fact that the law will not allow them to sing these songs without 'permission in writing' sing them, as they have done for years past, at penny read-

ings, charitable concerts, and elsewhere, and they are naturally astonished and indignant to receive a lawyer's letter, demanding the penalty of 2*l.*, not only from the vocalists, but from the accompanist and concert-giver. It is the law and they have to pay.

"The worst point of the case is, however, that no official lists exists of the works thus placed under ban. Mr. Wall, of course, will not furnish such a list, for it would clearly warn the public and diminish the number of his penalties. If the public have a doubt about any songs, they may on payment of a shilling, inspect the register at Stationers' Hall, but the Stationers' Company will give no other information. Large concert givers, directors of institutions, and others, pay Mr. Wall 10*l.* 10*s.* a year, for which sum he agrees not to ask for penalties; but the ordinary amateur or vocalist can, of course, not afford to do so. Mr. Wall, too, for the modest sum of half-a-crown, will inspect a programme, and say whether any of the songs are prohibited; but the charge is a heavy one."

The *Review* is doing the public a service by looking up the matter, and printing lists of the songs thus prohibited.

## ORGAN PLAYING—A Sketch.

The organ, long expected, has arrived, been unpacked, set up, and gloried over. The great players of the region round about, or of distant celebrity, have had the grand organ exhibition; and this magnificent instrument has been put through all its paces in a manner which has surprised everyone, and, if it had a conscious existence, must have surprised the organ itself most of all. It has piped, fluted, trumpeted, brayed, thundered; it has played so loud that everybody was deafened, and so soft that nobody could hear. The pedals played for thunder, the flutes languished and coqueted, and the swell died away in delicious suffocation, like one singing a sweet song under the bedclothes. Now it leads down a stupendous waltz with full bass, sounding very much as if, in summer a thunder-storm should play above our heads, "Come, haste the wedding," or "Money-musk." Then comes marches, gallops, and hornpipes. An organ playing hornpipes ought to have elephants for dancers.

At length a fugue is to show the whole scope and power of the instrument. The theme, like a cautious rat, peeps out to see if the coast is clear; and after a few hesitations, comes forth and begins to frisk a little, and runs up and down to see what it can find. It finds just what it did not want, a purring tenor lying in ambush, and waiting for a spring, and as the theme comes incautiously near, the savage cat of a tenor, pitches at it, misses its hold, and then takes after it with terrible earnestness. But the tenor has miscalculated the agility of the theme. All that it could do, with the most desperate effort, was to keep the theme from running back into its hole again, and so they ran up and down, around and around, dodging, eluding, whipping in and out of every corner and nook, till the whole organ was aroused, and the bass began to take part, but unluckily slipped and rolled down stairs, and lay at the bottom raving and growling in the most awful manner, and nothing could appease it. Sometimes the theme was caught by one part and dandled for a moment, when, with