

COLONIAL
COPYRIGHT ACTS.

15. Whenever the author of a literary, scientific or artistical work or composition, which may be the subject of copyright, has executed the same for another person, or has sold the same to another person for due consideration, such author shall not be entitled to obtain or to retain the proprietorship of such copyright, which is by the said transaction virtually transferred to the purchaser who may avail himself of such privilege, unless a reserve of the said privilege is specially made by the author or artist in a deed duly executed.

Copyright of work
made to order, &c.

16. If any person prints or publishes any manuscript whatever in Canada, or the same having been printed or published elsewhere, offers it or causes it to be offered for sale in Canada, without the consent of the author or legal proprietor first obtained, such author or proprietor being resident in Canada, or being a British subject resident in Great Britain or Ireland, such person shall be liable to the author or proprietor for all damages occasioned by such injury, to be recovered in any court of competent jurisdiction.

Damages for in-
fringement of copy-
right.

17. If any person prints, publishes or reproduces any book, map, chart, musical composition, print, cut, or engraving, or other work of art or photograph, and not having legally acquired the copyright thereof, inserts therein, or impresses thereon, that the same hath been entered according to this Act, or words purporting the same, every person so offending, shall incur a penalty not exceeding sixty dollars (one moiety thereof to the person who sues for the same, and the other moiety to the use of Her Majesty), to be recovered in any court of competent jurisdiction.

Penalty for falsely
pretending to have
copyright.

18. No action or prosecution for the recovery of any penalty under this Act shall be commenced more than two years after the cause of action arose.

Limitations of
actions

19. Chapter 81 of the Consolidated Statutes of the late Province of Canada, and chapter 116 of the Revised Statutes of Nova Scotia (third series), and all other Acts or parts of Acts, inconsistent with the provisions of the present Act, are hereby repealed, subject to the provisions of the next section.

Repeal of former
Act.

20. All copyrights heretofore acquired under the Acts or parts of Acts hereby repealed, shall, in respect of the unexpired terms thereof, continue unimpaired, and shall have the same force and effect as regards the province or provinces to which they now extend, and shall be assignable and renewable, and all penalties and forfeitures incurred and to be incurred under the same may be sued for and enforced, and all prosecutions commenced before the passing of this Act for any such penalties or forfeitures already incurred may be continued and completed as if such Acts were not repealed.

Unexpired copy-
rights continued.

21. In citing this Act, it shall be sufficient to call it "The Copyright Act of 1868"

Short Title.

C A N A D A

CAP. LVI

AN ACT to impose a DUTY on FOREIGN REPRINTS of BRITISH COPYRIGHT
WORKS — (Assented to 22nd May 1868).

WHEREAS by an Act of the Parliament of the United Kingdom, passed in the Session held in the tenth and eleventh years of Her Majesty's reign, intituled, "An Act to amend the Law relating to the Protection in the Colonies of Works entitled to Copyright in the United Kingdom," it is provided, that in case the Legislature of any British possession shall be disposed to make due provision for securing or protecting the rights of British authors in such possession, and shall pass an Act for that purpose, and transmit the same, in the proper manner, to the Secretary of State, in order that it may be submitted to Her Majesty, and in case Her Majesty should be of opinion that such Act is sufficient for the purpose of securing to British authors reasonable protection within such possession, it shall be lawful for Her Majesty to express Her Royal approval of such Act, and thereupon, by Order in Council, to suspend, so long

Preamble.

Imperial Act,
10 & 11 Vict. c. 95.