

COPYRIGHT IN SERMONS.

The Rev. Joseph Parker writes complaining of the theft committed by newspaper reporters in reporting sermons, and he winds up his letter by saying that he wants to know "whether a preacher can legally protect his sermons; or, failing this, whether the moral sentiment of the public cannot be roused to resent a piracy which is made the more infamous by working under the plea of pious interest in the spread of religion." With the latter part of his question we need not deal, beyond saying that we quite agree that there ought to be protection for sermons just as much as for any other productions of men's brains. The question we wish to consider is, Can a preacher legally protect his sermons from reproduction in a paper or other publication? The point has been recently remarked on in the case of *Caird v. Sime*, 57 Law J. Rep. P. C. 2; L. R. 12 App. Cas. 326. Mr. Scrutton's 'Law of Copyright,' 2nd edit. p. 65, lays down that at common law the author of any literary composition has the right to prevent its publication until he himself has made it public; and the right will not be destroyed by the fact that the author communicates such a composition to a limited number of persons under express or implied conditions restraining them from publishing it themselves. A preacher, therefore, as a lecturer, will, until he has published his composition, be entitled at common law to prevent publication of it by others. In *Caird v. Sime* it was held that a professor of a university who delivers orally in his class-room lectures which are his own literary composition does not communicate such lectures to the whole world so as to entitle anyone to republish them without the permission of the author. Professor Caird, of the University of Glasgow, delivered lectures in his class-room, as part of his ordinary course, to students of the university, who were admitted on payment of the prescribed fees. And it was held that such delivery of the lectures was not equivalent to a communication of them to the public at large, and that Professor Caird was entitled to restrain other persons from publishing them. But in thus deciding Lord Chancellor Halsbury expressly distinguished the case of sermons: "It is intelligible," he says, "that when a person speaks a speech to which all the world is invited, either expressly or impliedly, to listen, or preaches a sermon in a church, the doors of which are thrown open to all mankind, the mode and manner of