Anno ſeptimo

Georgii III. Regis.

CAP. XXXVIII.

An Act to amend and render more effectual an Act made in the Eighth Year of the Reign of King *George* the Second, for Encouragement of the Arts of Deſigning, Engraving, and Etching, Hiſtorical and other Prints; and for veſting in, and ſecuring to, *Jane Hogarth* Widow, the Property in certain Prints.

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, has been found ineffectual for the Purpoſes thereby intended; 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,

Preamble, reciting Act 8 *Geo.* II.

Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of January, One thousand seven hundred and sixty seven, all ~~and every Person and Persons who shall~~ invent or design, engrave, etch, or work in Mezzotinto or Chiaro Oscuro, or, from his own Work, Design, or Invention, shall cause or procure to be designed, engraved, etched, or worked in Mezzotinto or Chiaro Oscuro, 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, shall have, and are hereby declared to have, the Benefit and Protection of the said Act and this Act, under the Restrictions and Limitations herein after-mentioned.

The original Inventors, Designers, or Engravers, &c. of Historical and other Prints, and such who shall cause Prints to be done from Works, &c. of their own Invention,

And be it further enacted by the Authority aforesaid, That from and after the said First Day of January, One thousand seven hundred and sixty seven, all and ~~every Person and Persons who shall 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, shall have, and are hereby declared to have, the Benefit and Protection of the said Act, and this Act, for the Term herein after-mentioned, in like Manner, as if such Print had been graved or drawn from the Original Design of such Graver, Etcher, or Draftsman; and if any Person shall engrave, print, and publish, or import for Sale, any Copy of any such Print, contrary to the true Intent and Meaning of this and the said former Act, every such Person shall be liable to the Penalties contained in the said Act, to be recovered as therein and herein after is mentioned.

and also such as shall engrave, &c. any Print taken from any Picture, Drawing, Model, or Sculpture;

are intitled to the Benefit and Protection of the recited and present Act;

and those who shall engrave or import for Sale, Copies of such Prints, are liable to Penalties.

And whereas William Hogarth, late of the City of Westminster, Painter and Graver, did etch and engrave, and cause to be etched and engraved, several Prints from his own Invention and Design, the Property and sole Right of vending all such Prints, being secured to him the said William Hogarth for the Term of Fourteen Years from their first Publication, by the said former Act of Parliament; which said Property, by his last Will, became vested in his Widow and Executrix: And whereas since the first Publication of several of the said Prints, the Term of Fourteen Years is expired, and several base Copies of the same have been since printed and published, whereby the Sale of the Originals has been considerably lessened, to the great Detriment of the said Widow and Executrix: And whereas since

The sole Right of printing and reprinting the late *W. Hogarth's* Prints,

ſince the Publication of others of the ſaid Prints, the Term of Fourteen Years is now near expiring; be it enacted by the Authority aforeſaid, That Jane Hogarth, Widow and Executrix of the ſaid William Hogarth, ſhall have the ſole Right and Liberty of printing and reprinting all the ſaid Prints, Etchings, and Engravings, of the Deſign and Invention of the ſaid William Hogarth, for and during the Term of Twenty Years, to commence from the ſaid Firſt Day of January, One thouſand ſeven hundred and ſixty ſeven; and that all and every Perſon and Perſons who ſhall at any Time hereafter, before the Expiration of the ſaid Term of Twenty Years, engrave, etch, or work in Mezzotinto or Chiaro Oſcuro, or otherwiſe copy, ſell, or expoſe to Sale, or cauſe or procure to be etched, engraved, or worked in Mezzotinto or Chiaro Oſcuro, any of the ſaid Works of the ſaid William Hogarth, ſhall be liable to the Penalties and Forfeitures contained in this and the ſaid former Act of Parliament; to be recovered in like Manner as in and by this and the ſaid former Act are given, directed, and appointed.

vested in his Widow and Executrix for the Term of 20 Years.

Penalty of copying, &c. any of them, before the Expiration of the ſaid Term;

Provided nevertheleſs, That the Proprietor or Proprietors of ſuch of the Copies of the ſaid William Hogarth's Works, which have been copied and printed, and expoſed to Sale, after the Expiration of the Term of Fourteen Years from the Time of their firſt Publication by the ſaid William Hogarth, and before the ſaid Firſt Day of January, ſhall not be liable or ſubject to any of the Penalties contained in this Act; any thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

ſuch Copies excepted as were made and expoſed to Sale after the Term of 14 Years, for which the ſaid Works were firſt licenſed, &c.

And be it further enacted by the Authority aforeſaid, That all and every the Penalties and Penalty inflicted by the ſaid Act, and extended, and meant to be extended, to the ſeveral Caſes comprized in this Act, ſhall and may be ſued for and recovered in like Manner, and under the like Reſtrictions and Limitations, as in and by the ſaid Act is declared and appointed; and the Plaintiff or common Informer, in every ſuch Action (in caſe ſuch Plaintiff or common Informer ſhall recover any of the Penalties incurred by this or the ſaid former Act) ſhall recover the ſame, together with his Full Coſts of Suit.

Penalties may be ſued for as by the recited Act is directed;

and be recovered with Full Coſts;

Provided alſo, That the Party proſecuting ſhall commence his Proſecution within the Space of Six Calendar Months after the Offence committed.

provided the Proſecution be commenced within 6 Months after the Fact.

And be it further enacted by the Authority aforeſaid, That the ſole Right and Liberty of printing and reprinting

The Right intended to be secured by this and the former Act, vested in the Proprietors for the Term of 28 Years from the first Publication.

ing intended to be secured and protected by the said former Act and this Act, shall be extended, continued, and be vested in the respective Proprietors, for the Space of Twenty eight Years, to commence from the Day of the first Publishing of any of the Works respectively herein before and in the said former Act mentioned.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced or brought against any Person or Persons whatsoever, for doing, or causing to be done, any thing in pursuance of this Act, the same shall be brought within the Space of Six Calendar Months after the Fact committed; and the Defendant or Defendants in any such Action or Suit

General Issue.

shall or may plead the General Issue, and give the Special Matter in Evidence; and if, upon such Action or Suit, a Verdict shall be given for the Defendant or Defendants, or if the Plaintiff or Plaintiffs become nonsuited, or discontinue his, her, or their Action or Actions, then the Defendant or Defendants shall have and recover

Full Costs.

Full Costs; for the Recovery whereof he shall have the same Remedy as any other Defendant or Defendants, in any other Case, hath or have by Law.

FINIS.