

DRAMATIC COPYRIGHT.

THE object of the Bill is to endeavour to put a stop to the "pirating" of authors' plays.

As the law at present stands, the only remedy an author has against a person, or persons, pirating his works is by a civil action claiming damages or by asking for an injunction to restrain the parties from performing the piece. This remedy is very cumbersome and expensive, and often has little effect in securing the desired end. When an injunction is applied for, the party against whom it is granted withdraws his name from the piece, but some other member of the pirating company may run it in his own name, and the whole proceedings must be commenced *de novo* against this person. If a verdict for damages is obtained, nothing can, in many instances, be recovered, for the reason that the class of people that pirate another's work are generally without means, and it is only throwing good money after bad to try and recover from them, and the author, or his representative, is saddled with the costs of an action taken to protect his own property.

The Bill embodies a law already in force in America, and which has had good effect in preventing pirating of plays in that country. It provides (in lieu of payment of a fine) for imprisonment, with or without hard labour, at the discretion of the Magistrate. The fear of imprisonment acts as a deterrent, for the people in question, though they do not fear a civil suit for damages, hesitate at running the risk of undergoing imprisonment.

Mr. Field.

DRAMATIC COPYRIGHT.

ANALYSIS.

Title.
1. Short Title.

2. Penalty for "pirating" plays.
3. Proceedings to be heard by a Magistrate.

A BILL INTITULED

AN ACT to amend the Law relating to the Copyright of Dramatic Works. Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act is "The Dramatic Copyright Act, 1903" Short Title.

2. Every person who commits an offence against section two of the Imperial Act of 3 and 4 William IV., intituled "An Act to amend the Laws relating to Dramatic Literary Property," is liable, in addition to any other liabilities under that Act, to a fine not exceeding *one hundred* pounds; and, in default of payment of such fine within twenty-one days after judgment, shall be imprisoned for a term of *three* months, with or without hard labour, at the discretion of the Stipendiary Magistrate: Penalty for "pirating" plays.

Provided that proceedings for the recovery of such fine shall be taken not later than twelve months after the commission of the offence.

3. All proceedings under this Act shall be heard or determined by a Stipendiary Magistrate only, under the provisions of "The Justices of the Peace Act, 1882." Proceedings to be heard by a Magistrate.