

First General Revision Gave Copyright to Musical Compositions and Extended Term

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This year marks the 175th anniversary of the first general revision of the copyright law.

Congressman William Wolcott Ellsworth, son-in-law of copyright advocate Noah Webster, led the fight for revision in 1831. He felt strongly that American copyright law should be brought into conformity with European copyright law, which protected musical compositions and had longer terms of copyright protection.

Ellsworth argued in Congress that “it has furthermore been claimed, and, it seems to your committee, with propriety, that the law of copyright ought to extend to musical compositions, as does English law. It has been the aim of your committee, in preparing the accompanying bill ... to enlarge the period for the enjoyment of copyright, and thereby to place authors in this country more nearly upon an equality with authors in other countries.”

With the help of Webster’s incessant lobbying, a copyright revision bill passed both houses of Congress and was signed into law on February 3, 1831, by President Andrew Jackson. The landmark legislation was notable for two particular changes to the copyright legislation that had been in effect since 1790. The revision added musical compositions to the list of copyrightable works and extended the original term of copyright from 14 to 28 years, while retaining the renewal term of 14 years for a total of 42 years of protection.

The first registration for a musical work under the Act of February 3, 1831, was made by Philadelphia music publisher George Willig on February 23, 1831, in the District Court for the Eastern District of Pennsylvania. The work was a song entitled “Maid of My Love.” With lyrics by David L. Richardson and music by I.T. Norton, the original sheet music deposit copy for this work is preserved in the collections of the Library’s Music Division. ©

