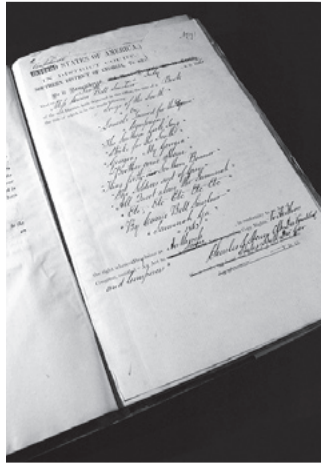


The Confederates Had Copyright? Who Knew?

JUDITH NIERMAN

Who would have thought the Rebs had copyright? But it is true. The Confederate States of America (CSA), the eleven states that attempted to secede from the United States of America in 1861, actually had a copyright law that, to some extent, functioned from 1861 to 1865.



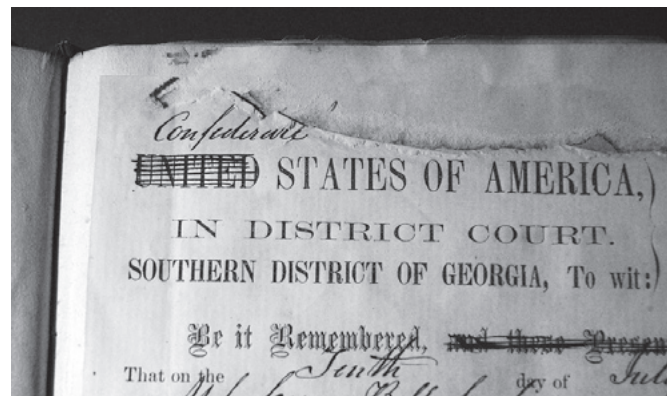
The Permanent Confederate Constitution, signed March 11, 1861, enabled the legislature to pass a copyright law, which it did on May 21, 1861. This statute mirrored U.S. law of the time. Copyright term was 28 years, renewed for 14 years. Registration took place not in circuit court but in the district court where the author or proprietor lived. Application for renewal had to be made within six months of expiration, and a notice had to be published for four weeks in a Confederate newspaper. Once yearly a list of the accumulated copyright registrations was to be sent to the Secretary of State.

The Confederates attempted to play in the international arena by giving protection to authors who were not citizens and who were not residents. Thus the CSA granted copyright to foreign nationals some 30 years before the United States enacted the Chace International Copyright Act of 1891, giving foreign authors protection in the United States and paving the way for Americans to receive protection abroad. In the mid 1800s, American works were not profitable abroad because

there were no reciprocity agreements at all, including between the United States and that other English-reading and English-speaking nation, England. Perhaps the Confederates hoped to gain official recognition from foreign governments or to encourage a national literature and thus export Southern culture by making it profitable abroad? But all became moot when no foreign country recognized the seceding states as a country.

A few Confederate copyright registrations survive in the Library's Rare Book Reading Room. Some are pasted on pages of bound volumes of U.S. naturalization records. The word "United" has been carefully crossed out and "Confederate" written by hand, so that the record reads "Confederate States of America."

The illustration is from the Southern District Court of Georgia and is the 1863 registration of Miss Carrie Bell Sinclair as "authoress" of a book entitled *Songs of the South*. ©



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