

# Copyright Lore

■ *Frank Evina*

June 2004 marks the 215th anniversary of the introduction of the first copyright bill in Congress. On June 23, 1789, Benjamin Huntington of Connecticut presented in the first session of the first Congress, HR 10, "A BILL to promote the Progress of SCIENCE and USEFUL ARTS, by securing to AUTHORS and INVENTORS the exclusive Right to their respective WRITINGS and INVENTIONS." The larger portion of this bill, as originally presented, related mainly to patents. During the second session of the First Congress, separate bills for copyrights and patents were introduced. The copyright bill, as amended, became the first federal copyright law approved by President George Washington on May 31, 1790. Several highlights of HR 10 relating exclusively to copyrights include: the bill applied only to books; it prohibited unauthorized printing or importation from abroad; it required registration in an unspecified depository; and it expressly stated that nothing in the act prohibited importing, reprinting, or selling books within the United States that had been written or printed in foreign countries.

The bill had been considered lost for many years, since repeated attempts to locate a copy in the Library of Congress, the National Archives, and the Office of the Secretary of the Senate had failed. Luckily, Mrs. Wilma S. Davis, librarian of the Copyright Office, came across an old letterpress book in 1955 that contained what appeared to be a typewritten copy of the complete text of the first copyright bill. George D. Cary, who was principal legal advisor at the time and later Register of Copyrights, provided an in-depth analysis of the sections of the bill as they related to copyright. ©

A black and white portrait of Benjamin Huntington, a man with powdered hair, wearing a dark coat and a white cravat. He is shown from the chest up, looking slightly to the left.

*Portrait of Benjamin Huntington courtesy of the Huntington Family Association*