

Copyright Lore

■ Frank Evina



ABOVE: Portrait of David Ramsay

BACKGROUND: An excerpt
from Ramsay's petition

On Aug. 18, 1787, two delegates to the Constitutional Convention in Philadelphia, James Madison of Virginia and Charles Pinckney of South Carolina, submitted proposals advocating a federal patent and copyright system. These proposals, which were referred to the Committee on Detail for consideration, eventually became the basis for Article I, Section 8, of the U.S. Constitution giving Congress the power to “promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.”

Upon the creation of the federal government in 1789, several prominent authors moved to petition the new Congress to enact legislation that would guarantee them the exclusive right to their respective writings as provided for by the framers in the constitutional clause respecting copyrights. The first author to submit a petition was physician and historian Dr. David Ramsay of South Carolina. On April 15, 1789, his petition was formally presented to the first Congress by South Carolina Representative Thomas Tudor Tucker. The petition requested “that a law may pass securing to your petitioner his heirs and assigns for a certain term of years the sole and exclusive right of vending and disposing.”

Ramsay's petition seeking copyright protection for his books *The History of the Revolution of South Carolina from a British Province to an Independent State* and *The History of the American Revolution* prodded Congress to pass the first federal copyright act, which was signed into law by President George Washington on May 31, 1790. ©