

Piracy Inspires “Real” Stage Version of Children’s Classic

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Until the enactment of the International Copyright Act of 1891 (commonly called the Chace Act), copyright protection abroad for American authors as well as protection for foreign authors in the United States approached the status of the proverbial “wild west,” a realm ruled by lawless piracy. U.S. authors were commonly pirated abroad, as were foreign authors in the United States. But one instance of British piracy yielded a victory for authors.

Frances Hodgson Burnett (1849–1924), the British American author of the beloved children’s classics *Little Lord Fauntleroy* and *The Secret Garden*, as well as dozens of other books, plays, articles, and short stories, was the victim of an unauthorized dramatization of *Fauntleroy*, a novel she had written in 1885 while residing at 1215 I Street NW in the District. Frances was living in Italy when she learned that British playwright E. V. Seebohm was writing and planning to produce a dramatic version of her story for the stage. At the time, British copyright laws did not apply to plays. In his biography of his mother,

The Romantick Lady, Frances’s son Vivian Burnett quotes her 1887 letter to physician and friend Owen Lankester: “The brigand, whose name is Seebohm, knew he was doing a miserable, dishonest thing, and knew I thought myself protected by the ‘All rights reserved’ on the title page.”

When Frances complained to Seebohm, he offered to share royalties with her, but she refused. Angry and outraged, she rushed to London to write *The Real Little Lord Fauntleroy*, which was produced in May 1888 in London and was a great success. *The New York Times* commented in March 1888 that “Mr. E. V. Seebohm seems to have a curious notion of literary morality.” It added that Frances had been “very unfairly and shabbily treated.”

But Frances was determined to fight. She hired London law firm Kaye and Guedella, said Gretchen Gerzina in her Burnett biography *Frances Hodgson Burnett*, and sued Seebohm over the rights to the theatrical adaptation. She won a victory in court on the grounds that Seebohm, who had copied parts of the book in his play, had “multiplied copies of parts of the novel,” said Gerzina. The court granted

an injunction against the Seebohm production. The 1888 decision was also a victory for other British authors, who were no longer the prey in Britain of dramatists freely adapting works for the stage. The Society of British Authors thanked Frances for prevailing by presenting her with a diamond bracelet and ring and staging a gala banquet in her honor. ©

Author Frances Hodgson Burnett (left) and child actress Elsie Leslie, who dressed in a velvet suit with a lace collar for her role as the real Lord Fauntleroy



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