Arthur S. Sullivan 1341 et al

v.

Charles A. White et al.

Appt. J. Alfred Collier

Circuit Court of the United States,
District of Massachusetts,
In Equity.

Arthur S. Sullivan et al

v.

Charles A. White et al.

Alfred Bellier of London, England, being duly sworn, says:-

I am 36 years of age and reside in London, England. I am by profession a musician, conductor of the Opera Bouique in London, and also of the Promenade Concerts at the Royal Palace Opera Covent Garden Theatre, and the composer of several operas, operettas, and other ~~script~~ similar works. I have been associated with Messrs. Gilbert and Sullivan, the author and composer respectively of the opera known as the "Pirates of Penzance, or the Slave of Duty" from the beginning as their musical director and conductor, have had charge of the instruction and drill of the principal artists and of the choruses of the

four companies now playing the opera in this country, and I am in consequence thoroughly familiar with the music of the opera, and have written out from memory much of the scores and vocal parts now in use by those companies.

H.H.
W.P.

In my capacity as musical director (in accordance with instructions from Messrs Gilbert & Sullivan) I have always required, that the score and vocal parts should be most carefully kept private when not in actual use in the performance. At the end of each performance all the scores and vocal parts are collected by a person detailed for the purpose, put in a basket which is locked, and taken to my hotel or other stopping place. And I am informed and fully believe that substantially the same precautions are taken whenever the piece is produced by the other companies.

I have carefully examined the annexed publications, marked "A" and "B", purporting to be "arrangements" of airs or melodies from the "Pirates of Penzance". In "A" the pos.

sages under the pencil lines are reproductions of portions of the opera, with the exception of occasional and slight inaccuracies, (at passages marked ×) of a note or two, but so slight that they would not be detected except by a person entirely conversant with the original composition. These reproductions comprise all of "A" except eight bars of "Introduction" so called, eight bars of conclusion, and twenty-one bars in all throughout the piece, of such modulation as is commonly employed in arrangements of this sort to connect one theme with the next. There are two hundred and fifty bars in the piece, of which all but thirty nine are a reproduction. The accompaniment is an imitation though often incorrect and musically inaccurate, of the harmony of the original.

In the publication marked "B", I find likewise a substantial reproduction of portions of the original work, which I have marked with a pencil line as on "A," with

four bars of conclusion, and eight bars of modulation, not found in the original. The piece contains about one hundred bars, of which all but twelve are a reproduction.

I further depose both of my own knowledge and on information, that Messrs. Gilbert and Sullivan have always taken every precaution to prevent the words or the music of the "Pirates of Penzance" from being made public, except by performance on the stage by their authorized companies, and that no copies of either words or music have been allowed to be made except those absolutely necessary for use in the performance, which have been made by me or under my own supervision and are most carefully kept and guarded. And furthermore I have always followed, in all other respects, the instructions of Messrs. Gilbert and Sullivan that every care should be taken to prevent the words or music from becoming public.

Alfred Cellier.

United States of America,
State and District of Massachusetts, } ss.
County of Suffolk,

At Boston, in said State, District and County this 20th day of April A. D. 1880, personally appeared the above-named Alfred Bellier, to me personally known, and who subscribed the above affidavit, and made solemn oath that the statements therein contained are true.

Before me.
J. Henry Taylor.
Notary Public.

J. HENRY TAYLOR
NOTARY PUBLIC
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"A".

J. N. Taylor
N. P.

Pirates of Penzance

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Lancers Quadrille. E.H. BAILEY. 5

Waltz. E.H. BAILEY. 5

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1. Ruths Song .35
2. The Pirate King .35
3. The Model Major General .35
4. Policemans 1st Chorus. When the foeman &c .35
5. Policemans 2d Chorus. When a felon &c .35
6.
7.
8.

Instrumental.

1. Potpourri de Concert (4 Hds. 1.00) *C. D. Blake* .75
2. Lancers Quadrille *E. H. Bailey* .50
3. Waltz " " .50

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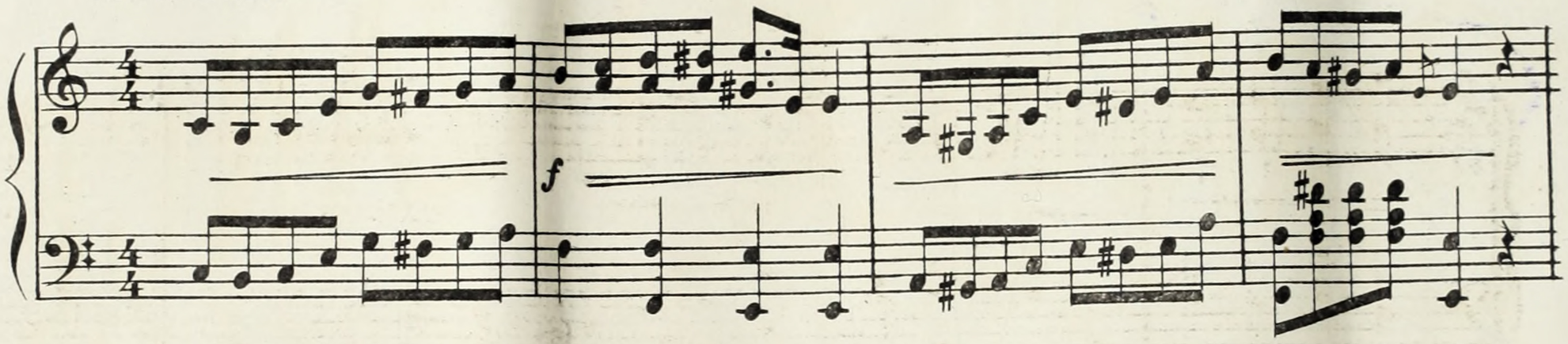
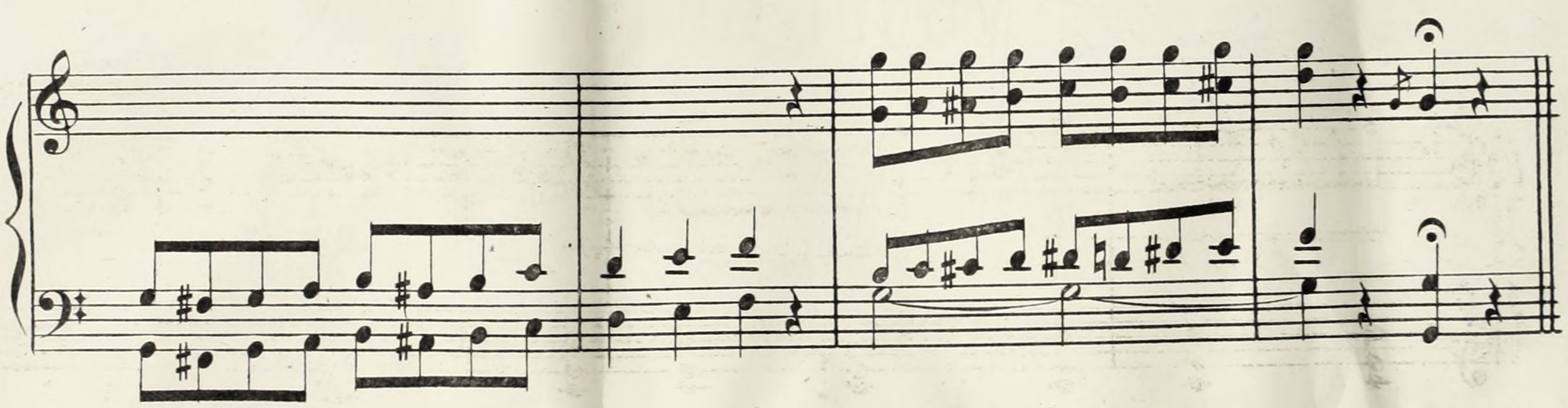
GRAND POTPOURRI DE CONCERT.

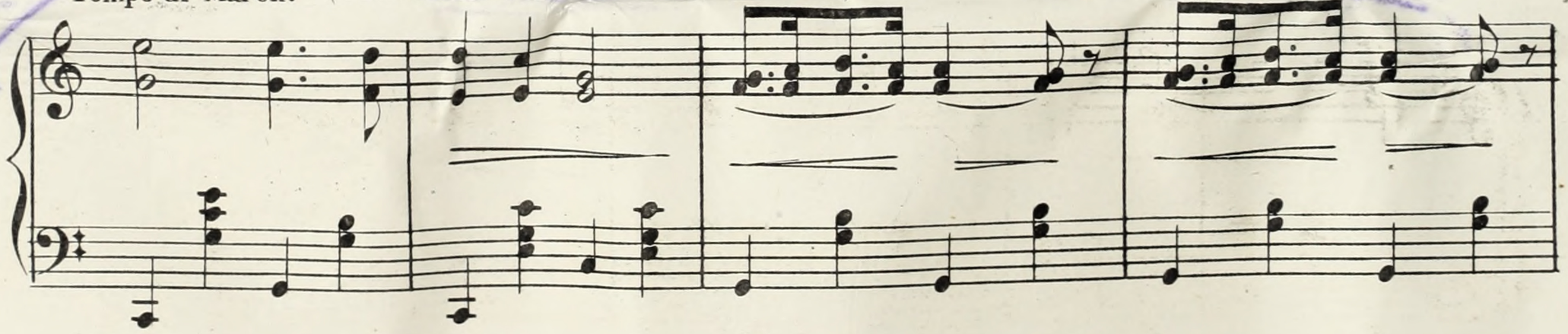
by Chas. D. Blake.

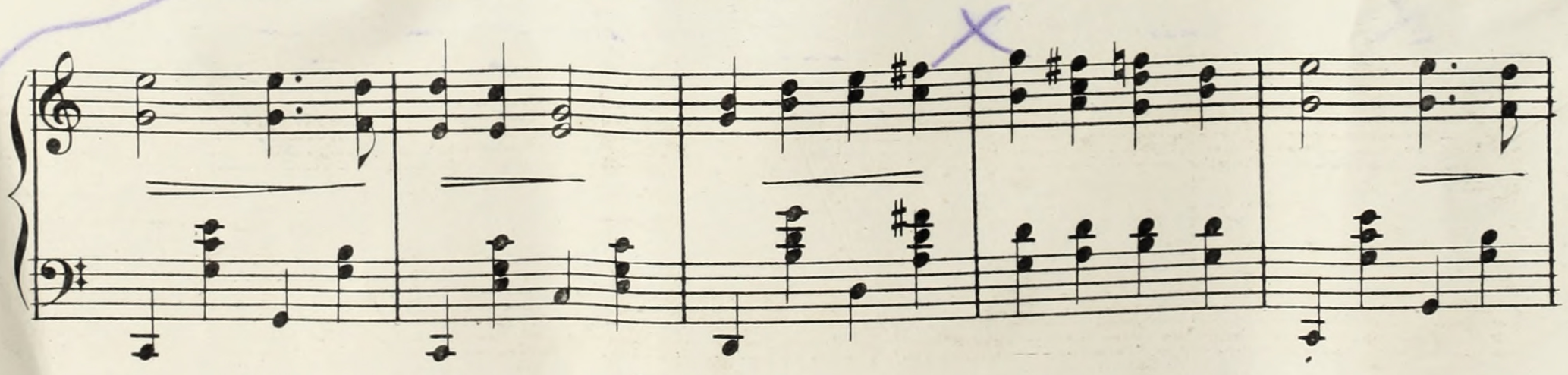
Introduction.





Tempo di March. (PIRATES' CHORUS AND MARCH.)





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(MABEL'S SONG.)

Tempo di Valse.

8

pp

f

(MAJOR GENERAL'S SONG.)

(PIRATE CHIEF.)

Tempo di March.

f

8

pp

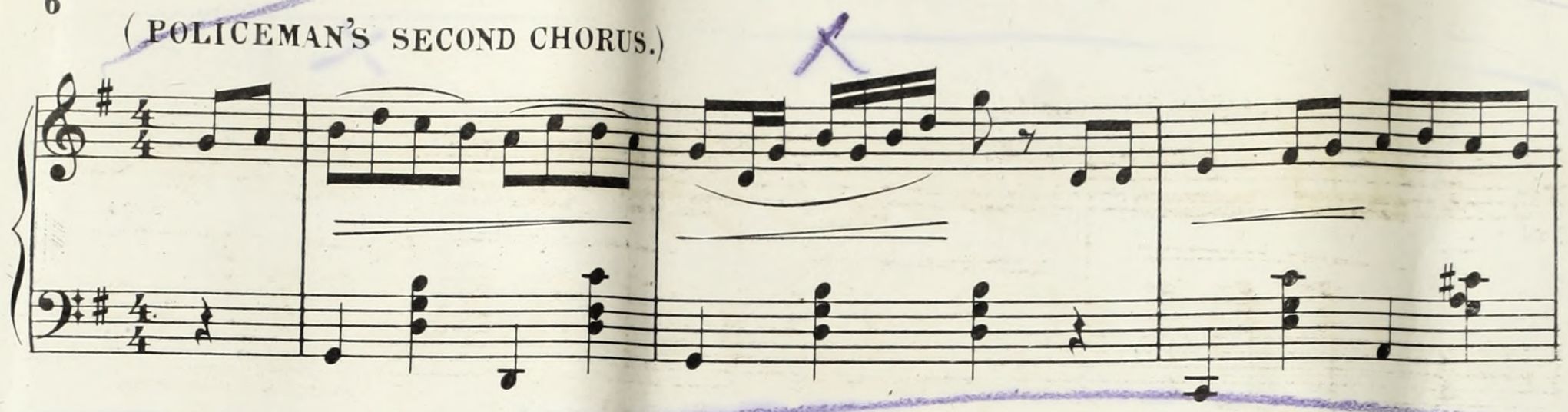
f

(RUTH'S SONG.)

f

ff

(POLICEMAN'S SECOND CHORUS.)



(ON TO VICTORY.)

Moderato.

(POLICEMAN'S FIRST CHORUS.)

Fine.

B."

J. H. Taylor M. D.

FAVORITE MELODIES

FROM THE

PIRATES OF PENZANCE

—BY—

E. COLVILLE.

4

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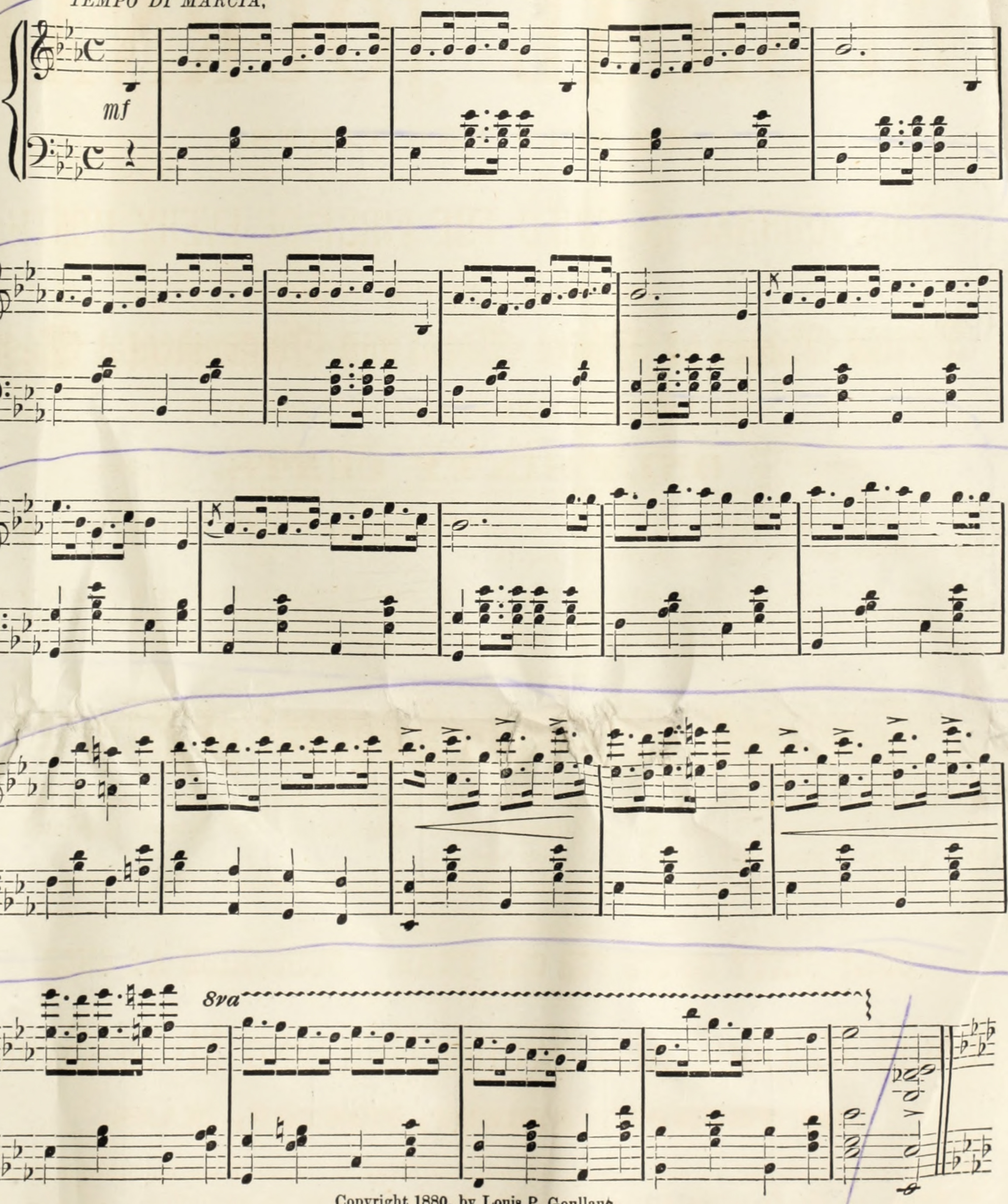

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698—3.

p *f* *p*

f

marcato. *marcato.*

marcato.

ff *p*

f *p*

f

f

con brio.

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