



CYA: Don't Get Caught With Your Hands In the Genealogy Cookie Jar



Anne Mitchell



But it's on the internet, so I
can do what I want with it...

Not so fast.

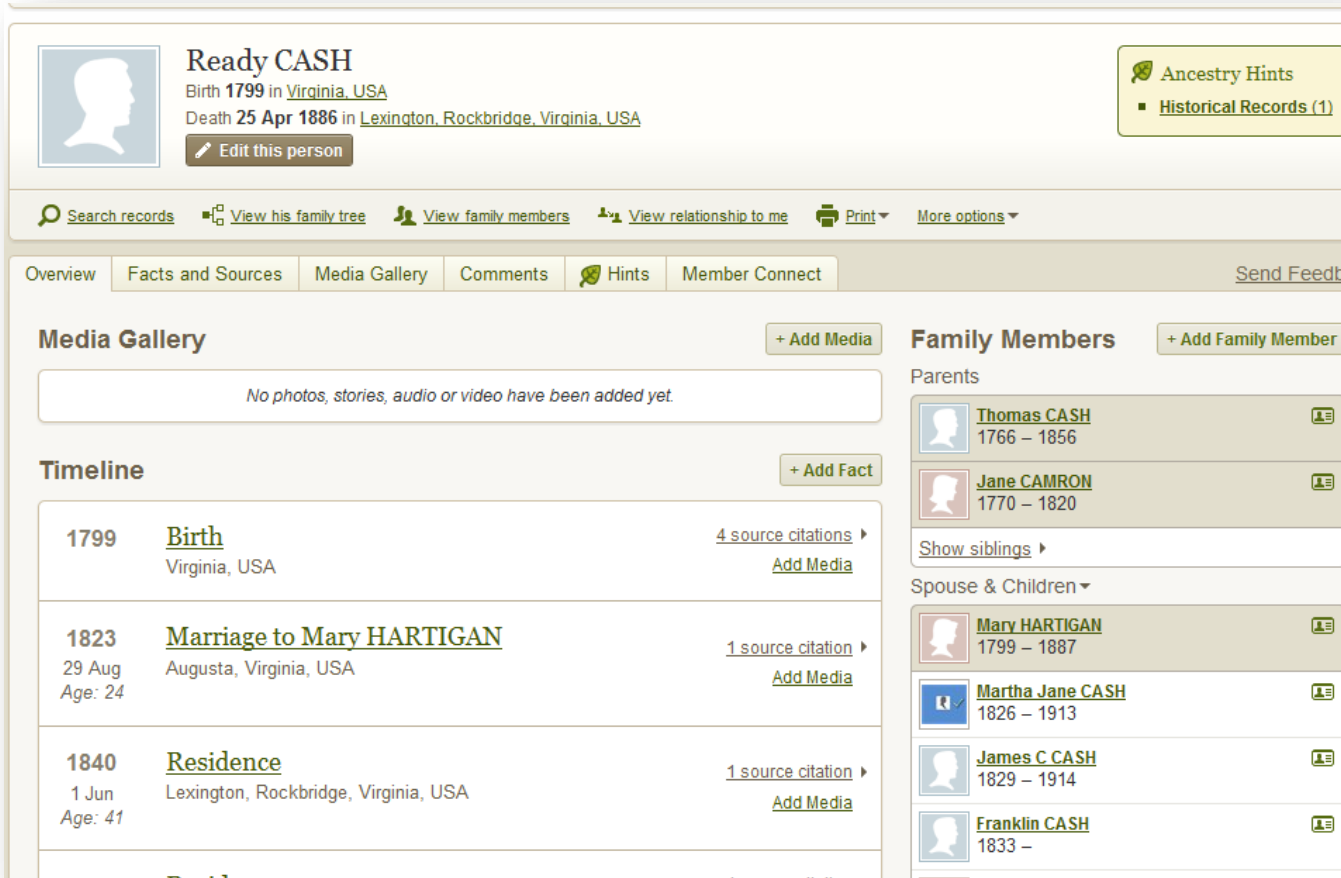
From Judy Russell (She has a Law Degree and is a CG)

“The fact is that there’s a persistent myth out there that, if it’s on the internet, it isn’t copyrighted, it isn’t protected, and you’re free to use it however you like. Worse, there’s a persistent attitude out there that people shouldn’t post anything on the internet if they don’t want it copied.”

“Horse ... um ... manure. In reality, most of what is out there on the internet is copyrighted, it is protected and ***you can be sued if you use it without permission.***”

Judy Russell, “Copyright and the website,” *The Legal Genealogist* blog, posted 14 November 2012 (<http://www.legalgenealogist.com/blog/2012/11/14/copyright-and-the-website/> : accessed 29 Nov 2012).

Facts you can use.



Ready CASH
Birth 1799 in [Virginia, USA](#)
Death 25 Apr 1886 in [Lexington, Rockbridge, Virginia, USA](#)
[Edit this person](#)

Media Gallery [+ Add Media](#)
No photos, stories, audio or video have been added yet.

Timeline [+ Add Fact](#)

1799	Birth	4 source citations ▶ Add Media
1823	Marriage to Mary HARTIGAN	1 source citation ▶ Add Media
1840	Residence	1 source citation ▶ Add Media

Family Members [+ Add Family Member](#)

Parents

- [Thomas CASH](#) 1766 – 1856 [▶](#)
- [Jane CAMRON](#) 1770 – 1820 [▶](#)

[Show siblings ▶](#)

Spouse & Children

- [Mary HARTIGAN](#) 1799 – 1887 [▶](#)
- [Martha Jane CASH](#) 1826 – 1913 [▶](#)
- [James C CASH](#) 1829 – 1914 [▶](#)
- [Franklin CASH](#) 1833 – [▶](#)

Ready Cash was born 1799 in Virginia, USA.

You can copy and publish that to your hearts content.

Source it, to save yourself grief.

Stories you cannot.

Let's say I write a charming story about Ready using the facts that I have.

In 1799, Ready Cash was born to Thomas and Jane (Camron) Cash; he was their 2nd child. They lived in a log cabin in Rockbridge, Virginia.....

Can you copy that and put it in your tree? No

Can you attach it to your tree? Yes.

Can you copy it and publish it on your blog or on your book? No.

Can you quote me with proper attribution and then publish it? Yes.

What about photos?

This photo we believe to be my great grandmother, Mary Elizabeth Gillespie.

We have dated it sometime between 1866 – 1883.

I don't own the copyright to this photo because I didn't take it.

It's probably in the public domain.

BUT you should still give me credit if you use it. Why? Because it's polite and you should always cite your sources.



What about photos?

But what if this is published in a book, say in 1970.

Can I copy the picture from the book and use it?

No you may not. The publisher holds the copyright.

Anything published BEFORE 1923 though is in the public domain.

But cite your sources.



What about historical documents?

Page No. 165
102

SCHEDULE 1.—Free Inhabitants in the County of Smyth State of Virginia enumerated by me, on the 17th day of October, 1860. P. M. Post Office White Sulphur

The name of every person whose name appears in this Schedule, with the date of his birth, and the age at that time		Sex		Color		Whether blind, deaf, dumb, insane, idiotic, pauper, or convict	
1	2	3	4	5	6	7	8
1085	Phillip S. Snavley	27	M	W			
1086	John S. Snavley	17	M	W			
1087	John S. Snavley	15	M	W			
1088	John S. Snavley	13	M	W			
1089	John S. Snavley	11	M	W			
1090	John S. Snavley	9	M	W			
1091	John S. Snavley	7	M	W			
1092	John S. Snavley	5	M	W			
1093	John S. Snavley	3	M	W			
1094	John S. Snavley	1	M	W			
1095	John S. Snavley	1	F	W			
1096	John S. Snavley	1	F	W			
1097	John S. Snavley	1	F	W			
1098	John S. Snavley	1	F	W			
1099	John S. Snavley	1	F	W			
1100	John S. Snavley	1	F	W			
1101	John S. Snavley	1	F	W			
1102	John S. Snavley	1	F	W			
1103	John S. Snavley	1	F	W			
1104	John S. Snavley	1	F	W			
1105	John S. Snavley	1	F	W			
1106	John S. Snavley	1	F	W			
1107	John S. Snavley	1	F	W			
1108	John S. Snavley	1	F	W			
1109	John S. Snavley	1	F	W			
1110	John S. Snavley	1	F	W			
1111	John S. Snavley	1	F	W			
1112	John S. Snavley	1	F	W			
1113	John S. Snavley	1	F	W			
1114	John S. Snavley	1	F	W			
1115	John S. Snavley	1	F	W			
1116	John S. Snavley	1	F	W			
1117	John S. Snavley	1	F	W			
1118	John S. Snavley	1	F	W			
1119	John S. Snavley	1	F	W			
1120	John S. Snavley	1	F	W			

Take this 1860 US Federal Census. Surely I can do what I want with that, it's a government document!

It is, and if you go to NARA and get a copy, you can.

But if it is on Ancestry.com or some other site, then you can use it for personal use, but you can't republish the entire county.

You can use it in a blog, or a paper. Oh, and cite your source.

1860 U.S. Census, Smyth County, Virginia, population schedule, p. 165 (penned), dwelling 1085, family 1088, Phillip Snavley household; database and digital images, Ancestry.com (<http://www.ancestry.com> : accessed 5 Nov 2012); citing NARA microfilm publication, M653, roll 1377.

So what does this mean?

If it's not yours don't take it and use it without attribution. (CITE YOUR SOURCE!)

If you aren't sure if you can use it, do a little research, or ask for permission.

If it was your photo, story or other creation, how would you want someone else to use it?

Where you can find this in PDF form:

<http://finding-forgotten-stories.com/resources/how-to-videos/>