

It is unquestionable that all British authors of any standing whatever prefer that copyright should, as far as possible, remain an Imperial matter, and that one system of legislation should control it throughout the British Empire at least and ultimately, if it were possible, throughout the English-speaking world. They view with alarm any tendency to multiply varieties of copyright legislation in different centres as likely in the highest degree to militate against their interests.

All Colonial Governments have proved their incapacity to collect any material fraction of duties or imported reprints. The Committee beg to call your attention to Section 193 of the Report of the Copyright Commission of 1878 as an instance of this. The figures there quoted are, unfortunately, not very recent, but the Society is endeavouring to get them, as far as possible, brought up to date, and thus far finds no record of any more encouraging returns. British authors, therefore, cannot but view with distrust any proposal involving the collection of their royalties by similar machinery. A member of the Committee himself saw at Hongkong hundreds of pirated reprints of Mrs. Humphrey Ward's novels publicly offered for sale, and authors have had to suffer similar injustice in many other parts of the British Empire. They further lay great stress upon the injurious effect likely to be produced in the United States by legislation of the kind proposed by Canada.

I am directed to forward, for your consideration, the accompanying documents:—

1. The Society's last memorandum upon the whole question.
2. Section 193 of the Report of the Copyright Commission of 1878.
3. Copies of letters from Mr. J. G. Ridout, of Toronto, dated respectively April 1895, and May 2nd, 1895.

I have, &c.

G. HERBERT THRING,
Secretary, Society of Authors (Incorporated).

Enclosure 1 in No. 105.

CANADIAN COPYRIGHT.

It is impossible to deal with the Canadian Copyright Act of 1889, or to estimate the effect it will produce if it is allowed to come into force, without in the first place shortly referring to the present position of Copyright, (a.) as an International, (b.) as an Imperial question.

I.—*International Copyright.*

(1.) The principal countries of Europe and, in fact, from a literary point of view, the principal countries of the world, with the exception of the United States, have at last, in the Berne Convention, recognised that the rights of an author in the fruit of his labour should be free from all conditions and restrictions whatsoever, except such as may be enforced by the laws of the country where it is first produced.

(2.) The United States of America, unfortunately, owing to political and trade pressure, have not been able to allow authors their full and just rights. Foreign authors can, however, under the Act of 1891, now obtain protection on the terms of printing their works in the States. The condition is unquestionably wrong and unfair in principle, but the recognition by the States of the rights of foreign authors is, even when subject to such a condition, of immense importance, especially to British authors.

Acceptance of the terms imposed does not imply a recognition of their justice and should not under any circumstances be allowed to be drawn into a precedent. On the other hand, we should be most careful to avoid doing anything which might imperil the recognition of the right of British authors which has been so hardly won from the United States of America. The Canadian Act if allowed to come into operation would, it is believed, lead to the withdrawal from British authors of the United States Act of 1891.

II.—*Imperial Copyright.*

The foundation of Imperial Copyright as it at present exists is to be found in the Act of 1842, which gives protection throughout the British dominions to every work which is first published in the United Kingdom.