

The elimination of the provisions of Section 152 of the Customs Consolidation Act from the consideration of the plaintiffs' rights, leaves Section 17 of the Copyright Act of 1842 as governing them as against the defendants. I leave Section 15 of the Act out of the question, because that section applies only to books subject to British copyright, which are unlawfully printed in the British Dominions, and does not extend to books subject to British copyright which are printed in foreign countries.

Section 17 declares that it shall not be lawful for any person not being the proprietor of the copyright or some person authorized by him, to import into any part of the United Kingdom or into any other part of the British Dominions for sale or hire any printed book, first composed or written or printed and published in any part of the said United Kingdom, wherein there shall be copyright and reprinted in any country or place whatsoever out of the British Dominions; and if any person not being such proprietor or person authorized as aforesaid, shall import or bring or cause to be imported or brought for sale or hire any such printed book into any part of the British Dominions contrary to the true intent and meaning of this Act, or shall knowingly sell, publish, or expose for sale, or let or hire, or have in his possession for sale or hire any such book, under penalty of forfeiture, etc.

It has proved, beyond question, in the present action that the defendants without authority from the plaintiffs, the proprietors of the copyright in the ninth edition of the *Encyclopædia Britannica*, have imported into Canada for sale and have there sold large quantities of a copy or reprint of that work which have been printed in the United States.

The defendants set up in their answers that the English Copyright Act of 1842 is not in force in Canada, and that the plaintiffs can only claim such rights as are conferred by Canadian statutes upon them. This objection is, however, one which has been determined adversely to the view suggested by the defendants and I am unable to entertain it.

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I think the plaintiffs have established their right to an injunction, perpetually restraining the defendants, The Imperial Book Company, Limited, their servants and agents from importing into Canada any copies of the *Encyclopædia Britannica*, ninth edition, or any part thereof printed in any country outside the British Dominions which infringe the copyright of the plaintiffs, Adam and Charles Black, and ordering the said defendants, The Imperial Book Co., Limited, to deliver up for cancellation all and any copies so printed, in their possession. The plaintiffs are also entitled to an account of the profits realized by the defendants, The Imperial Book Company, Limited, from the sale of any such copies within one year before the commencement of this action.

The defendants, The Imperial Book Company, Limited, must also pay the costs of the action to the hearing, inclusive

Should the plaintiffs require it, there will be a reference to ascertain the profits realized by The Imperial Book Company, Limited, and the costs of the reference will be reserved.

The action will be dismissed as against the defendant Hales. He has, however, made large profits out of the sale of the unlawfully imported copies of the plaintiffs' book and escapes accounting for them by pleading the statute, and under the circumstances, I think he should pay his own costs.

THE MONTREAL BOOK TRADE.

JANUARY, say the Montreal booksellers, was a month of very satisfactory sales, notwithstanding that it followed so closely upon the holidays. The present month has opened quietly, and is expected to continue so as far as books are concerned. St. Valentine's day, February 14, brings some little variety, but most people have forgotten that once important occasion. The valentines are growing more and more like Christmas cards. One can scarcely tell the difference now from their appearance. All booksellers and stationers have arranged displays of their valentines, ranging from the sentimental satin affairs to the coarse le. nightmares that are considered so very funny (by those who create them). There seems to be some demand for the latter among the French people as well as among the English—at least we have a domestic product in the French language which is quite as vulgar, though not so alarmingly colored as the imported variety. Nor do the artists (?) make quite such exaggerated caricatures as the others—which is something to their credit.

Two or three theological books have been attracting the attention of many Montrealers during the past few weeks. Two of these in Wm. Drysdale & Co's. are selling well. They are "The Death of Christ" and "The Representative Men of The Bible," both published by A. C. Armstrong & Son, New York. The former, by Prof. James Denny, D. D., appeared at an opportune time, since the Ministerial Association has recently been discussing the subject and its interpretation in the New Testament, and are to meet to exchange views on it again before long. Prof. Denny's book is considered the most masterly treatment of the subject that has appeared since the publication of Dr. Dale's great work on The Atonement, more than a quarter of a century ago. The price is \$1.50, cloth. "The Representative Men of The Bible" is by George Matheson, D.D., and is similar in style and binding to Prof. Denny's

book. Of it the United Presbyterian says: "It is rich in thought, a good book for the pastor's library, a book for the heart and the inner life; one to read by the fireside in Winter, and under the trees in Summer. It is one volume, crown octavo; in cloth, \$1.75."

Michael J. F. McCarthy could have selected no better time to get out his book, "Five Years in Ireland," than the present, when thinking men throughout the Empire are giving more attention than usual to the state of affairs in the Emerald Isle. That Mr. McCarthy is well qualified to discuss the subject he has proved by a former book, "Priests and People in Ireland," in which he made out a strong case against the influence of sacerdotalism in that country, as being a bar to its intellectual progress. From "Five Years in Ireland," one obtains new light on the vexing Irish question, and can consider the affairs of Ireland from a broader and more enlightened point of view.

"The Unspenkable Scot," by T. W. H. Crosland, sold quite well when it first appeared. People—the Scotch among them—were curious to know why the writer had chosen to apply an epithet to that much lauded nation which is usually associated with the Sultan and his countrymen. This curiosity is likely to have good results as regards the sale of Mr. Crosland's latest book, "The Egregious English." Later on—if the author's dyspepsia stays with him—we may hear something of "The Monstrous Canadians." But that sort of book usually sells well.

"A Son of Gad," by John A. Stuart (William Briggs), has taken fairly well, and is expected to be a good selling book through the season. It appeals especially to enthusiasts over the present Anglo-American love scene, illustrating as it does "the community of interest that is Americanizing England and Anglicizing America." "The Way of Escape," by Graham Travers. "Moth and Rust," by Mary Cholmondeley: "The