

DO THE PEOPLE DEMAND A COPYRIGHT ACT?



AFTER all that has been written and spoken on the Copyright Act of 1889, it seems strange that we should ask: "Do the People Demand a Copyright Act?" But the question is asked that it may be answered, and answered with proofs of every kind.

Who are interested? The authors, the publishers, the printers and the reading public.

The reading public in general have taken little interest in the matter. Those who have studied the matter declare that some arrangement must be arrived at that would give Canadians better books at prices more suitable than are asked for the costly editions issued in London or New York. Books published in a country for that country will be published in editions suitable for that country and that country's people. The cheap literature now in this country consists of bad and good books, with the accent on the bad books.

The authors of Canada have made a protest many times against a continuance of old laws. They are not protesting now. Why? Because they have gone to London and New York, preferring to live well abroad than starve at home. The Copyright Act of 1889, properly enforced, would bring them back to their native land.

The printers and publishers have done everything in their power to have a Canadian Copyright Act put in force. Some of them have spent hundreds and hundreds of dollars, days and days of time, hours and hours of thought some of them have even prayed that the scales might be removed from the eyes of those who could not see what was best in this matter.

The Canadian Press Association in March declared: "The Executive of the Canadian Press Association urge the Dominion Government to proclaim the Copyright Act assented to by

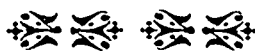
the Governor General, May 2nd, 1889, believing that such action would be of immense and immediate benefit to Canadian printers, publishers and authors."

The Toronto Employing Printers' Association recently adopted a resolution instructing their President to write Sir John Thompson, thanking him for his able services in this direction, and urging him to enforce the Canadian Copyright Act of 1889. A letter was sent, and Sir John Thompson answered in a manner which leaves no doubt that he will do his utmost to have the Act put in force.

Canadians have been buffeted about long enough in this matter, and it is a surprise that a democratic people would have tamely submitted to such an injustice so long. The English publisher doesn't think enough of Canada as a book buying country to bother putting out an edition suitable for the purses of the people, but, like the dog in the manger, he doesn't want to let any native publisher have any chance whatever.

This article can be fitly closed with a quotation from the April BOOKS AND NOTIONS:

"By putting bookplates on the free list and putting a duty of 6 cents per pound on sheets the Government probably intended to encourage the making of books in this country. But they have reckoned without the English author and publisher. When the latter sells to a United States publisher, he sells North America, the Canadian market being a mere bagatelle. How is the Canadian to get his plates or his copyright? Under existing circumstances he cannot get it. He must simply be glad he has been given the privilege by his generous government given it with one hand, while the other hand prevents him realizing the benefit. By this we mean that free plates are of little use until we get our Copyright Act enforced, and stand on our dignity as men, instead of being thrown as a bait to enable the English publisher to get another 'five pound' out of the United States publisher."



SIR JOHN THOMPSON ON COPYRIGHT.

SIR JOHN THOMPSON has sent to the British Government a report on the objections to the Canadian Copyright Act of May 2nd, 1889, raised by English experts. A few quotations are here made. A fuller history of the question was given in the February issue of this journal.

Sir John first points out that Canada, by the terms of the Berne Convention, can withdraw from its provisions by a year's notice, and that this notice has been given. He intimated that the Berne Convention had injured rather than helped Canada, as it had in view considerations of society widely different from those prevailing in Canada.

Sir John then goes into the discussion of English pledges to the United States. He says "It seems, from the committee's report, to be considered that Lord Salisbury in 1891 made an agreement with the United States which is an obstacle in the way of the Canadian request for improved copyright legislation being granted." He maintains that Lord Salisbury in 1891 only explained the law to the U.S. Minister at London (Mr. Lincoln), showing him that an alien could obtain copyright in Great Britain by publishing simultaneously in that country.

Lord Salisbury showed him that British law complied with the requirements of the Berne Convention, and he could not have by a simple explanation made the Berne Convention binding on Canada forever, when the Convention itself allows a country to withdraw on a year's notice. "The Canadian Government and Parliament ask for no other condition of affairs, and Lord Salisbury's statement to Mr. Lincoln will still be good, and the reasonable requirements of the United States Government will still be satisfied, if the Canadian Act of 1890 be ratified, because American holders of copyright in Great Britain will still be on the same footing as British copyright holders."

He goes on to say: "The copyright holder outside of Canada not only enjoys in Canada a monopoly which the Copyright Act of 1842 gave him, but can, and does, sell to foreigners that monopoly in Canada, and the foreign purchaser thus acquires the right, under the statute of 1842 and the Berne Convention Act of 1842, TO LOCK THE CANADIAN PRESSES IN ORDER THAT HIS OWN MAY BE KEPT IN OPERATION TO SUPPLY CANADIAN READERS."

Sir John points out that the Canadian publisher does not complain about being undersold, but that the United States