

standing, if thought proper, that the change in the law, if made, should be temporary, to be determined upon the conclusion of any international copyright treaty between England and the United States.

“In conclusion, the undersigned may be permitted to note the fact, that during the last few months the present subject has been very largely discussed in the leading journals of Canada as well as at public meetings. The public sentiment throughout the country is that the privilege asked for is fair and reasonable in itself, and that the granting of it would not only promote the interests of English authors but give an impetus to the publishing and printing trade and other cognate branches of Canadian industry, and will be calculated to increase the circulation in Canada of the best British works and to foster the literary tastes and develop the literary talents of the Canadian people.”

At this stage the British publishing interest intervened, and pressed upon the lords of trade, who in their turn pressed upon the colonial office, the propriety of compelling the colonies to accept the modification of the imperial copyright laws, which had just been offered to them without any demand for concession in return, and which was obviously required by the commonest principles of justice, namely, the concession to publication in the colony should be equivalent of publication in Great Britain, on condition only that the colonies should give up their right, accorded under the act of 1847, to import foreign reprints.

When so little was being conceded in answer to the repeated requests of Canada for the right to supply our people with reprints, it would have been doubtful whether the Canadian government would have expressed its acquiescence in a measure so comparatively unimportant, but when that concession became coupled with a condition which would have made the imperial copyright acts absolutely unbearable and unenforceable, only one reply was possible, and that reply was the one which was transmitted from Canada on the 1st of July, 1870, stating that while there could be no objection to the proposed bill, making publication in the colony equivalent to publication in the United Kingdom, taking into consideration the suggested repeal of the Imperial Copyright Act of 1847, it was highly inexpedient that legislation should take place at that time. †

Lord Kimberly requested the governor general of Canada on the 29th July, 1870, to forward to him a full statement of the views of the Canadian government on the question, in order that it might be considered before the next session.

Accordingly, on the 30th November, 1870, a joint report of the ministers of finance and agriculture was adopted by his excellency in council, the substance of which is contained in what here follows:—

“What the undersigned would venture to suggest is, that the duty on the reprints of books first published either in Great Britain or its dependencies, when imported from foreign countries, should be materially increased; and that it should be levied in all cases for the benefit of the author or owner of the copyright, should such exist; and that to prevent evasion of the law a declaration should be required from importers that any works which they may claim to import free of such duty have never been published either in Great Britain or British dependencies; that foreign reprints of works published in Canada should be wholly prohibited; that any author publishing in Canada should be, as at present, protected in his copyright, but that unless British copyright works should be published concurrently in Canada, licensed Canadian publishers should be allowed to publish, paying, for the benefit of the author or owner of the English copyright an excise duty, which should be collected by means of stamps as easily as other duties of a similar kind. The undersigned have no doubt that such a scheme as that which they have suggested could be carried into practical effect with great advantage to the English authors, who, as a rule, would sell their copyrights for Canada to Canadian publishers. It is true that British publishers could not gain the colonial circulation which they have long tried to obtain with success; but it is vain for them to expect that the expensive editions published in England can meet a sale in any part of the American continent.