

Accordingly, on the 20th October, 1869, Earl Granville informed the governor general of Canada that the matter was one of some difficulty, and that her majesty's government felt it necessary to obtain further information before deciding on the proposal of the Canadian government, but that, in the meantime, action might be taken as to a portion of the imperial law which was not affected by the difficulties surrounding the present question, namely, that while, by the present law, publication in the United Kingdom gave copyright throughout the empire, publication in a colony could not give rights outside the limits of the colony; and he stated that her majesty's government were prepared to take steps, during next session, to amend the law in that particular.

On the 20th of December, 1869, the governor general of Canada transmitted a number of documents, one of which was an address which he had received from the typographical union of Montreal, setting out in strong terms the prejudicial effects of the imperial copyright acts in Canada. His excellency had promised, in reply, that he would not fail to draw the attention of the privy council to the point thus raised.

His excellency also transmitted, at the same time, a report from the minister of finance on the first communication from the board of trade above mentioned. The minister remonstrated against the Canadian request being delayed for the action of the United States. He said: "In reference to the second objection urged against the desired change in the law, the undersigned is ready to admit that Canada ought not to ask for and should not expect to receive any privileges which could reasonably be held to prejudice or postpone the satisfactory adjustment of the great question of international copyright between England and the United States. But he is unable to see how the change in the law asked for could have any such effect, especially if it were provided that the privilege accorded to Canadian publishers should be provisional and temporary, to determine on the conclusion of any international treaty of copyright between the two countries.

"Under such limitations would not the granting of the privileges asked for on behalf of Canadian publishers operate rather to bring about the conclusion of an international copyright treaty than to postpone or prevent it? If Canadian publishers were placed on the same footing as their American rivals, the latter would be, to a very great extent, deprived of the pecuniary benefits resulting to them, in the absence of any inter-colonial copyright treaty, from their piracy of the works of English authors."

On the general question, which I have already discussed, the minister made use of the following expressions, which I cite for the purpose of showing that they are not now advanced for the first time to her majesty's government, and that those are not newly discovered grievances.

"At present the Canadian public are mainly dependent on the supply even of foreign literature for which a copyright may be obtained in England, on the reprint from the United States.

"It may be argued in answer to these objections that the Canadian publisher may make arrangements with the author for permission to publish; but as the law now stands there is no motive or inducement either for the author to concede, or the publisher to obtain this sanction; the author has already made or can make, his arrangements with the foreign publisher, who knows that circumstances will give him a large circulation in the Canadian markets, and that even the slight proportion of duty collected will be paid by the Canadian reader, because re-publication there is forbidden.

"At present the foreign publisher, having a larger market of his own, and knowing the advantages of access to the Canadian market, can hold out greater inducements to the author than the colonial publisher; and can afford to indemnify the author for agreeing to forego taking out any copyright and to abstain from printing in Canada."

The minister concluded his report, which had the approval of his excellency in council, as follows:—

"Having considered the arguments advanced against the modification of the copyright law asked for in the address of the senate, the undersigned would recommend that the attention of the imperial authorities be once more invited to the subject, and that they be earnestly requested to accede to the application of the senate upon the under-