

allowed to amend our patent laws, our banking laws, our tariff laws, our marriage laws—but the copyright law, it seems, is sacred and holy for us to touch. As a matter of fact, according to correspondence submitted to Parliament, the wealthy British publishers, either through misunderstanding our proposed Act, or through deliberate misrepresentation, or a pleasing mixture of both, have thus far induced the Imperial authorities to take the view that the proposed Act is cruel and unfair to British interests, and altogether contrary to all sense of law and justice. But they carefully abstain from showing, as I shall do presently, how grossly unjust the present Canadian Copyright Act is to Canadian interests. And surely if we can amend our patent, banking, marriage and other laws, surely this farce of not allowing us to amend our copyright law should be. In any case, we know that we have won on our side, that victory must be in the end, and we have only to be persistent and to have it understood that we have had enough of the farce, when the curtain will be rung down and our rights restored to us.

If the proposed Act had been passed by a small majority, or if it could be shown that it was manifestly unjust or unfair to British publishers or authors, there might be some grounds for withholding assent. Nothing of the kind can be shown. On the contrary, the Act was passed in Parliament without one dissenting voice, and an examination of it will convince any prejudiced mind that its provisions are fair and just to all concerned.

Let me next illustrate the unfairness to Canada of our present copyright law. In Lyall's new story, "To Right the Wrong," has recently been issued in England by the English publishers (who also hold the nominal Canadian copyright), Messrs. Hurst & Blackett, in the unwieldy edition three volumes, at thirty-one shillings and sixpence (about \$9 at retail in Canada). The copyright for the United States was sold to Harper Brothers, New York, who have issued an edition in one volume at \$1.50. It can readily be seen that Canadians are thus forced to buy the edition made in the United States, as the English edition is practically prohibited on account of price, if for no other reason. Under the present law no Canadian publisher dare touch this book; but under the proposed law (if the author did not copyright here), a license could be obtained to issue the book and our printers, papermakers, bookbinders, and booksellers would all be benefitted by the manufacture and sale of the book in Canada. What, some one will say, and rob the author of the fruits of his labor? Not at all, for as will be seen by a reference to the Act, as amended above, the author would receive a royalty of 10 per cent on the retail price of the book. Assuming an edition of 3,000 copies and the price at 50 cents a copy, the author would receive \$150, whereas to-day but one cent goes to the author from Canada. Thus, then, the rights of the author will be protected, and the trade of the country stimulated and benefitted at the same time. This is only one case out of hundreds of similar cases that could be cited, and it is little wonder that the printing and cognate trades in the Dominion are complaining bitterly at the non-enforcement of the new Act.

Sir John Thompson has devoted much time and attention to this subject, and it is fortunate that this question has been kept out of party politics, for however widely the two great parties may differ on certain questions, they are at one in insisting on the right of the Canadian Parliament to legislate fully and finally on the subjects mentioned in the B. N. A. Act. As far back as 1877, the Hon. Edward Blake wrote the Imperial authorities, "It would be better and more conformable to the spirit of the constitution of Canada, as actually framed, that the legislation should be completed on the advice and responsibility of Her Majesty's Privy Council for Canada."

It remains then for our people to strengthen the hands of our Government in the efforts made to assert our rights in this matter. Let it be understood that we are asking for simple justice only—we want nothing more, we will accept nothing less. Further delay in assenting to the Act will only cause increased friction at this encroachment on rights guaranteed to us by the Act of 1867.

The employing printers of Toronto have recently passed a strong resolution on the subject. It nothing else will do, let a special memorial on the subject be prepared for presentation to parliament. This memorial would be signed by the publishers, the book-sellers and members of many and various trades and occupations entering into the manufacture of books, music and artistic works. Let the Government see that the thousands of people interested personally in this matter take a deep interest in the success of its efforts to secure a just copyright law for Canada—one that if not perfect, will at least secure a greater degree of justice to Canadian interests than the present one does.

I send these words forth in the hope that they will cause those more particularly interested to take prompt and vigorous action in the matter.

RICHARD T. LANCHESTER.

Necessary to Secure Copyright.

Each copy of a literary work, or printed out, engraving or photograph, must have "Entered according to Act of the Parliament of Canada, in the year....., by....., at the Department of Agriculture," printed or impressed on each copy to secure copyright. The cost for each copyright is \$1.00.

Articles published in newspapers, which it is intended to issue afterwards in other form (such as "Broken Links" by Mrs. Alexander, now running in Saturday Globe), must have the words "Registered in accordance with Copyright Act" on each copy. The Globe has "Copyright, 1893, by the Author," but other words are correct, although it probably does not matter much.

Penalties and Their Recovery.

"Every person who has not lawfully acquired the copyright, but prints that same has been secured, shall incur a penalty not exceeding \$300.00, recoverable in any court of competent jurisdiction."

If I suspected any one of claiming copyright unlawfully I would have to write to Ottawa and find out if the copyright was duly entered in the books of the Department. I do not think the Department would make this search. I think one would have to have some one in Ottawa go to the Department and make the search, but the point therein contained is correct.

Never print anything that you think is copyright. Be sure or you may be sorry. The penalty for printing a copyright work is a fine of not exceeding \$1.00 nor less than 10 cts for every copy that can be traced. The expense and trouble that the English publishers have put some Canadians to, for infringement of copyright, would make pretty reading. Make no mistake about it, the British publishers will spend thousands of pounds in defeating our new Copyright Act.

R. T. LANCHESTER.

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