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effect held out an inducement to the British author to secure a local copyright as the most simple means of excluding foreign reprints by the publication of cheap competitive Canadian editions, and giving the book trade of Canada a direct interest in the exclusion of the foreign article. These are some of the main features of the Canadian Copyright Law of 1875, but they met with no favour in the Downing-street of 1847.

In the despatch to the Governor-General is enclosed the report to the Colonial Office of the Board of Trade on the Canadian Act just referred to. The report contains the following passages:—"Looking to the circumstances under which the Act (Imperial Act, 1847) was passed, their lordships are of opinion that the arrangement effected by it was in the nature of a compromise between the claims of the colonists on the one hand and the rights of British authors on the other; the intention being that the colonists should be allowed to supply themselves with the cheap editions of British works which are reproduced in the United States, on the condition of making to the author some compensation for the injury inflicted on him by a gratuitous appropriation of his property, and it was on this understanding that the Act received the assent of Parliament without encountering opposition from the advocates of the rights of authors. The Acts which have been passed by the Legislatures of Nova Scotia and New Brunswick are strictly in accordance with this understanding, but the Canadian Act now under discussion is framed upon a totally different principle. Its effect, were it followed up by an Order-in-Council, would simply be to take away from British authors, unless they republish in the colony, the protection which they now enjoy, without making them any compensation for the injury. My Lords are therefore of opinion that to issue such an Order might expose the Government to a charge of breaking faith with the authors. They are the more reluctant to recommend such a step being taken because they do not perceive the justice of the distinction between works printed and published in England only and works reprinted and published in Canada. So far as they have means of judging, they are of opinion that an edition for the colonial market could be printed more cheaply here than in Canada. To protect works reprinted there, and to leave others unprotected, would therefore fail to secure the advantages which are desired on all hands—namely, cheap publications of a legitimate character for the colonies, and the repression of

"the illicit importations of pirated editions
"*My Lords would gladly co-operate in any measure that could be devised for supplying the colonies with the cheapest works,*
"and would see no objection to making the author's copyright depend upon his trans-
"mitting them, could a plan for compelling
"him to do so be devised, but they do not
"think the obligation to reprint in the colony
"would have any tendency to effect this
"object."

The paternal tone of "My Lords" grates strangely on Canadian ears to-day. But in connection with our present discussion, the contents of this report are valuable and important. The object of the Imperial Act of 1847 was to give cheap (foreign reprinted) literature to the "colonists," while providing for the compensation of the British authors. Well, no Canadian publisher has ever asked for more than the power to reprint cheap literature on condition that a fair compensation was secured to the British author. In the next place, what "My Lords" failed to perceive in regard to the reprinting and publishing in Canada, as distinguished from printing and publishing in the United Kingdom, has been perceived since and "crystallized into law." Then, too, a powerful argument from the Downing-street point of view apparently was, that Canadians could not produce books so cheaply as they could import them. It is no longer possible to hold that opinion, for Canadians are able, as every-day experience shows, to print editions of popular works more cheaply than any sold either in Great Britain or the United States. Then, finally, we have the assurance that "My Lords" would not only gladly co-operate with the "colonists" in any measure for supplying cheap literature, but even deal more or less arbitrarily with the authors could they see a practicable method of attaining the desired end. If the Imperial Government will only act now in the spirit of the admissions implied in their despatch of over thirty years ago, we shall soon see an end to existing difficulties.

Some delay followed the refusal of the Imperial Government to sanction the Canadian Act. Meantime, the impossibility of excluding American reprints, and the necessity of obtaining a cheaper literature than the British market supplied, became daily more and more obvious. Accordingly in 1850 an Act was passed by the Canadian Legislature (13 and 14 Vict., c. 6) providing for the collection of an authors' tax on foreign reprints of British copyright works coming into Canada, whenever the author or his representatives registered his copyright with the Canadian Customs authorities. The Act reads